

AMENDED IN SENATE JULY 23, 2009

CALIFORNIA LEGISLATURE—2009–10 FOURTH EXTRAORDINARY SESSION

ASSEMBLY BILL

No. 1

Introduced by Assembly Member Evans

July 2, 2009

~~An act relating to the Budget Act of 2009.~~ *An act to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) by amending Items 0250-001-0001, 0250-001-0159, 0250-001-0932, 0250-001-3037, 0250-001-3066, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0250-301-0660, 0250-301-3037, 0502-001-0001, 0502-001-9740, 0510-001-0001, 0510-001-9740, 0520-001-0001, 0520-001-0044, 0520-001-0918, 0520-011-0001, 0530-001-9732, 0540-001-0140, 0540-001-6031, 0540-101-6051, 0540-001-6051, 0540-490, 0555-001-0028, 0555-001-0044, 0555-001-0235, 0559-001-0001, 0559-001-3078, 0650-001-0001, 0650-001-0890, 0690-001-0001, 0690-001-0890, 0690-001-6061, 0690-101-0890, 0690-102-0214, 0690-102-0890, 0820-001-0001, 0820-001-0378, 0820-001-0890, 0820-001-3086, 0840-001-0001, 0840-001-0061, 0840-001-0062, 0840-001-0330, 0840-001-0890, 0840-001-0903, 0840-001-0970, 0840-001-0988, 0840-001-6057, 0840-001-9740, 0840-011-0494, 0840-011-0797, 0840-011-0988, 0855-111-0367, 0860-001-0001, 0860-001-0022, 0860-001-0061, 0860-001-0623, 0860-001-3015, 0950-001-0001, 0950-001-9740, 0968-001-0457, 1111-002-0582, 1730-001-0001, 1760-001-0666, 1760-101-0022, 1870-001-0001, 1870-001-0890, 1870-101-0890, 1880-001-0001, 1900-015-0815, 1900-015-0820, 1900-015-0822, 1900-015-0830, 1900-015-0833, 1900-015-0884, 2240-001-0648, 2240-101-0001, 2240-101-0890, 2320-001-0317, 2660-001-0042, 2660-001-0890, 2660-001-6801, 2660-002-3007, 2660-002-3008,*

2660-004-6055, 2660-004-6056, 2660-004-6058, 2660-004-6064,
 2660-004-6072, 2660-102-0890, 2660-302-0042, 2660-302-0890,
 2660-303-0042, 2660-491, 2665-004-6043, 2670-001-0290,
 2720-001-0044, 2720-001-0840, 2720-001-0890, 2720-301-0044,
 2740-001-0042, 2740-001-0044, 2740-001-0064, 3340-001-0001,
 3340-001-0318, 3340-001-6051, 3360-001-0381, 3360-001-0465,
 3360-001-0890, 3360-001-3117, 3480-001-0001, 3480-001-0133,
 3480-001-0141, 3480-001-0336, 3480-001-3046, 3480-101-0005,
 3540-001-0001, 3540-001-0140, 3540-001-0235, 3540-001-0890,
 3540-001-3120, 3540-006-0001, 3600-001-0001, 3600-001-0005,
 3600-001-0200, 3600-001-0235, 3600-001-0320, 3600-001-6051,
 3600-101-0320, 3680-001-0516, 3680-101-0516, 3680-101-0890,
 3680-101-3001, 3760-001-0140, 3760-001-0565, 3760-301-0262,
 3760-301-0371, 3760-301-0593, 3760-301-6051, 3760-301-6076,
 3790-001-0001, 3790-001-0235, 3790-001-0263, 3790-301-6051,
 3790-490, 3790-497, 3810-001-0140, 3810-301-6031, 3855-001-0140,
 3860-001-0001, 3860-001-0140, 3860-001-0404, 3860-001-0890,
 3860-001-3057, 3860-001-6052, 3860-101-6052, 3860-301-6052,
 3910-001-0387, 3910-001-0890, 3930-001-0106, 3940-001-0235,
 3940-001-0439, 3940-001-0890, 3940-101-0001, 3980-001-0001,
 3980-001-0044, 3980-001-0106, 3980-001-0557, 3980-001-3056,
 4120-101-0001, 4170-001-0001, 4170-001-0890, 4170-101-0890,
 4200-001-0367, 4200-001-0890, 4200-001-3113, 4200-001-3146,
 4200-101-3146, 4200-102-3146, 4200-103-3146, 4260-001-0001,
 4260-001-0236, 4260-001-0890, 4260-101-0080, 4260-101-0232,
 4260-101-0890, 4260-102-0001, 4260-102-0890, 4260-106-0890,
 4260-111-0080, 4260-111-0236, 4260-111-0890, 4260-113-0890,
 4260-117-0001, 4260-117-0890, 4265-001-0070, 4265-001-0099,
 4265-001-0203, 4265-001-0234, 4265-001-0890, 4265-001-3098,
 4265-111-0009, 4265-111-0231, 4265-111-0236, 4265-111-0890,
 4265-111-6031, 4265-115-0890, 4265-115-6031, 4265-116-0890,
 4265-401, 4270-001-0001, 4280-101-0890, 4280-102-0890,
 4280-103-0890, 4280-103-3055, 4280-111-0233, 4280-111-0236,
 4280-112-0232, 4280-112-0233, 4280-112-3133, 4300-003-0001,
 4300-004-0001, 4300-101-0172, 4300-101-0890, 4300-103-0001,
 4300-301-0001, 4440-001-0890, 4440-001-3085, 4440-011-0001,
 4440-101-0001, 4440-101-0890, 4440-101-3085, 4700-001-0890,
 4700-101-0890, 5160-001-0001, 5160-001-0890, 5160-101-0890,
 5175-001-0001, 5175-001-0890, 5175-101-0001, 5175-101-0890,
 5180-001-0270, 5180-001-0890, 5180-101-0122, 5180-101-0890,

5180-101-8004, 5180-141-0001, 5180-141-0890, 5180-151-0001,
 5180-151-0890, 5180-153-0890, 5225-001-0001, 5225-001-0917,
 5225-002-0001, 5225-011-0001, 5225-101-0001, 5225-301-0001,
 5225-301-0660, 5225-301-0747, 6110-001-0001, 6110-001-0231,
 6110-001-0890, 6110-102-0231, 6110-102-0890, 6110-104-0001,
 6110-108-0001, 6110-111-0001, 6110-113-0001, 6110-119-0001,
 6110-119-0890, 6110-122-0001, 6110-124-0001, 6110-125-0001,
 6110-125-0890, 6110-126-0890, 6110-134-0890, 6110-136-0890,
 6110-140-0001, 6110-140-0349, 6110-156-0890, 6110-161-0001,
 6110-161-0890, 6110-166-0001, 6110-166-0890, 6110-167-0001,
 6110-170-0001, 6110-181-0001, 6110-181-0140, 6110-182-0001,
 6110-183-0890, 6110-189-0001, 6110-193-0001, 6110-193-0890,
 6110-195-0890, 6110-196-0001, 6110-196-0890, 6110-197-0890,
 6110-198-0001, 6110-201-0890, 6110-202-0001, 6110-203-0001,
 6110-211-0001, 6110-220-0001, 6110-228-0001, 6110-240-0001,
 6110-240-0890, 6110-243-0001, 6110-244-0001, 6110-245-0001,
 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-268-0001,
 6110-295-0001, 6440-001-0001, 6440-001-0234, 6440-495,
 6600-001-0001, 6610-001-0001, 6610-495, 6870-001-0001,
 6870-002-0890, 6870-101-0001, 6870-103-0001, 6870-111-0001,
 6870-295-0001, 6870-301-6041, 6870-301-6049, 7100-001-0001,
 7100-001-0185, 7100-001-0514, 7100-001-0588, 7100-001-0869,
 7100-001-0870, 7100-011-0185, 7100-011-0890, 7100-021-0890,
 7100-101-0588, 7100-101-0869, 7100-101-0871, 7100-101-0890,
 7100-101-0908, 7100-111-0890, 7120-001-0890, 7350-001-0001,
 7350-001-3121, 7980-001-0001, 8260-001-0001, 8260-001-0890,
 8260-101-0890, 8380-001-0001, 8380-004-0001, 8570-001-0001,
 8570-001-0111, 8570-001-0890, 8660-001-0462, 8860-001-0001,
 8885-295-0001, 8940-001-0001, 8955-001-0001, 9100-101-0001,
 9620-001-0001, 9655-001-0001, 9655-001-0494, 9800-001-0001,
 9800-001-0494, 9800-001-0988, and 9840-001-0001 of, by adding
 Items 0250-001-3138, 0250-111-0159, 0250-111-0556, 0250-111-3138,
 0250-301-3138, 0250-490, 0502-001-0022, 0502-001-0666,
 0502-001-9730, 0502-101-0022, 0502-301-0001, 0502-301-0042,
 0502-301-0044, 0502-301-0200, 0502-301-0768, 0530-001-3151,
 0540-491, 0540-493, 0559-011-3078, 0650-102-0890, 0650-490,
 0690-001-0214, 0690-301-0890, 0820-001-3136, 0820-011-0317,
 0820-495, 0911-001-0001, 0968-101-0890, 0985-101-0890,
 1100-011-0267, 1111-002-3122, 1760-490, 2240-490, 2660-002-0890,
 2660-011-0042, 2740-011-0044, 2740-491, 3125-490, 3125-491,

3340-001-0140, 3340-101-0001, 3340-101-0133, 3340-101-6051, 3340-490, 3340-491, 3360-011-0382, 3360-012-3117, 3480-001-0867, 3480-012-3117, 3540-001-3117, 3540-301-0660, 3540-490, 3540-493, 3600-001-3117, 3600-101-0516, 3600-497, 3640-491, 3640-492, 3640-495, 3680-011-0516, 3760-495, 3790-001-3117, 3790-011-0263, 3790-101-0005, 3790-491, 3790-492, 3790-494, 3790-495, 3790-496, 3810-491, 3850-301-0005, 3850-301-6029, 3850-301-6051, 3855-490, 3860-101-6025, 3860-490, 3860-491, 3860-492, 3860-493, 3860-495, 3900-490, 3930-001-0140, 3940-011-0439, 3940-012-0439, 3940-101-3134, 3940-101-3145, 3940-496, 3980-001-0115, 3980-001-0200, 4140-490, 4260-495, 4265-495, 4265-496, 4265-497, 4280-112-0236, 4300-101-0496, 5180-101-0514, 5225-490, 5225-491, 5225-496, 6110-008-0001, 6110-109-0001, 6110-198-0890, 6110-488, 6110-490, 6110-492, 6120-490, 6360-011-0407, 6360-011-0408, 6440-402, 6440-491, 6440-492, 6440-493, 6610-490, 6610-491, 6610-492, 6610-494, 6870-490, 6870-491, 6870-492, 6870-493, 6870-497, 7100-001-0871, 7350-001-3150, 7350-001-3152, 7350-011-0001, 7350-012-0001, 7350-401, 7980-101-0784, 7980-490, 8550-001-3153, 8550-011-3153, 8855-011-0001, 8940-001-3085, and 9350-104-6065 to, and by repealing Items 0520-001-9329, 0520-101-9329, 0520-101-9329, 0650-001-0214, 0650-101-0214, 1760-001-0001, 1760-001-0022, 1760-301-0001, 1760-301-0042, 1760-301-0044, 1760-301-0200, 1760-301-0768, 1955-001-9730, 3480-101-0867, 3600-001-0404, 3680-301-0516, 3860-101-0544, 4200-001-3019, 4200-101-3019, 4200-105-0001, 4260-101-0236, 4260-111-0233, 4265-111-0232, 4265-111-0233, 4265-111-6051, 4265-301-0001, 4280-101-0236, 4280-104-0236, 4280-104-0890, 4280-111-0232, 4300-101-3148, 5180-101-3148, 5180-111-3148, 5180-151-3148, 6110-008-0046, 6110-111-0046, 6110-111-3116, 6870-301-6028, 8550-001-0191, 8550-001-0942, and 8550-011-0942 of, Section 2.00 of that act, and by amending Sections 3.60, 3.90, 4.01, 4.12, 12.00, 12.32, 12.42, 17.00, 25.50, and 35.50 of, by adding Sections 3.55, 4.85, 8.55, 12.45, 12.50, 12.55, 13.10, 13.25, 15.30, 15.45, 17.50, 17.80, 18.00, 18.10, 18.20, 18.30, 18.40, 18.50, 18.55, 24.60, and 25.25 to, and by repealing Section 24.65 of, that act, relating to the State Budget, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1, as amended, Evans. Budget Act of 2009: *revisions*.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2009.~~

The Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) made appropriations for the support of state government for the 2009–10 fiscal year.

This bill would make revisions in those appropriations for the 2009–10 fiscal year. The bill would make specified reductions in certain appropriations.

The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on July 1, 2009.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on July 1, 2009, pursuant to the California Constitution.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. For purposes of this act, the “Budget Act of 2009”
- 2 means Chapter 1 of the 2009–10 Third Extraordinary Session, as
- 3 amended by Chapter 3 of the 2009–10 Third Extraordinary Session.
- 4 SEC. 2. *Item 0250-001-0001 of Section 2.00 of the Budget Act*
- 5 *of 2009 is amended to read:*
- 6
- 7 0250-001-0001—For support of Judicial Branch..... 354,945,000
- 8 354,711,000
- 9 Schedule:
- 10 (1) 10-Supreme Court..... 47,299,000
- 11 47,283,000
- 12 (2) 20-Courts of Appeal..... 208,912,000
- 13 208,694,000
- 14 (3) 30-Judicial Council..... 119,412,000

1	(4) 35-Judicial Branch Facility Program.....	2,217,000
2	(5) 50-California Habeas Corpus Resource	
3	Center.....	15,064,000
4	(5.5) 97.20.001-Unallocated Reduction.....	-21,286,000
5	(6) Reimbursements.....	-7,572,000
6	(7) Amount payable from the Motor Vehicle	
7	Account, State Transportation Fund	
8	(Item 0250-001-0044).....	-184,000
9	(8) Amount payable from the Court Inter-	
10	preters' Fund (Item 0250-001-0327).....	-161,000
11	(9) Amount payable from the Federal Trust	
12	Fund (Item 0250-001-0890).....	-4,475,000
13	(10) Amount payable from the Appellate	
14	Court Trust Fund (Item 0250-001-	
15	3060).....	-4,281,000
16	Provisions:	
17	1. Notwithstanding Section 26.00, the funds appropriated	
18	or scheduled in this item may be allocated or reallocat-	
19	ed among categories by order of the Judicial Council.	
20	2. Of the funds appropriated in this item, \$200,000 is	
21	available for reimbursement to the Attorney General,	
22	or for hiring outside counsel, for prelitigation and liti-	
23	gation fees and costs, including any judgment, stipu-	
24	lated judgment, offer of judgment, or settlement. This	
25	amount is for use in connection with (a) matters arising	
26	from the actions of appellate courts, appellate court	
27	bench officers, or appellate court employees, (b) mat-	
28	ters arising from the actions of the Judicial Council,	
29	council members, or council employees or agents, (c)	
30	matters arising from the actions of the Administrative	
31	Office of the Courts or its employees, or (d) employ-	
32	ment litigation arising from the actions of trial courts,	
33	trial court bench officers, or trial court employees.	
34	Either the state or the Judicial Council must be named	
35	as a defendant or alleged to be the responsible party.	
36	Any funds not used for this purpose shall revert to the	
37	General Fund.	
38	3. The funds appropriated in Schedule (5) shall be	
39	available for costs associated directly or indirectly	
40	with the California Habeas Corpus Resource Center	

(CHCRC). The CHCRC shall report to the Legislature and the ~~Department~~ *Director* of Finance on September 1, 2009, and April 1, 2010, on expenditures, specifically detailing personal services expenditures, operating expenses, and equipment expenditures.

4. Notwithstanding any other provision of law, upon approval and order of the ~~Department~~ *Director* of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0250-011-0001 to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers' compensation claims for judicial branch employees and justices, and administrative costs pursuant to Section 68114.10 of the Government Code.

SEC. 3. Item 0250-001-0159 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-001-0159—For support of Judicial Branch, payable from the Trial Court Improvement Fund..... 9,574,000
Provisions:

1. Notwithstanding any other provision of law, upon approval by the Administrative Director of the Courts, ~~and notification to the Department of Finance, the chairpersons of the committees in each house of the Legislature that consider appropriations and the State Budget, and the Chairperson of the Joint Legislative Budget Committee,~~ the Controller shall increase this item by no more than \$2,847,000 up to \$18,673,000 for recovery of costs for administrative services provided to the trial courts by the Administrative Office of the Courts. ~~Any augmentation shall be authorized no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chair-~~

person of the joint committee or his or her designee
may determine.

*SEC. 4. Item 0250-001-0932 of Section 2.00 of the Budget Act
of 2009 is amended to read:*

0250-001-0932—For support of Judicial Branch, payable from
the Trial Court Trust Fund..... 7,057,000
Schedule:
(1) 30-Judicial Council..... 7,057,000
Provisions:
1. Upon approval of the Administrative Director of the
Courts, the Controller shall increase this item by an
amount sufficient to allow for the expenditure of any
transfer to this item made pursuant to Provision 8 of
Item 0250-101-0932.
2. *Upon approval of the Administrative Office of the
Courts, the Controller shall increase this item by an
amount sufficient to allow for the expenditure of any
transfers to this item made pursuant to Provision 13
of Item 0250-101-0932.*

*SEC. 5. Item 0250-001-3037 of Section 2.00 of the Budget Act
of 2009 is amended to read:*

0250-001-3037—For support of Judicial Branch, payable from
the State Court Facilities Construction Fund..... ~~73,267,000~~
66,159,000
Schedule:
(1) 30-Judicial Council..... 7,933,000
(2) 35-Judicial Branch Facility Program..... ~~75,334,000~~
68,226,000
(3) Reimbursements..... -10,000,000
Provisions:
1. The Director of Finance may augment this item by an
amount not to exceed available funding in the State
Court Facilities Construction Fund, after review of a
request submitted by the Administrative Office of the
Courts that demonstrates a need for additional re-
sources associated with and including, but not limited

to, the transfer, acquisition, rehabilitation, construction, or financing of court facilities. This request shall be submitted no later than 60 days prior to the effective date of the augmentation. Any augmentation shall be authorized no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee or his or her designee may determine.

2. Notwithstanding any other provision of law, upon approval and order of the ~~Department~~ *Director* of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0250-011-0001 to provide adequate resources to the Judicial Branch ~~Worker's~~ *Workers'* Compensation Fund to pay workers compensation claims for judicial branch employees and administrative costs in accordance with Section 68114.10 of the Government Code.

3. *Notwithstanding Section 70374 of the Government Code, \$1,155,000 of the funds appropriated in this item shall be available for the Office of Court Construction and Management, within the Administrative Office of the Courts, to manage and oversee existing facilities for the trial courts, courts of appeal, Administrative Office of the Courts, and the Habeas Corpus Resource Center.*

SEC. 6. Item 0250-001-3066 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-001-3066—For support of Judicial Branch, payable from		
the Court Facilities Trust Fund.....		24,899,000
		89,581,000
Schedule:		
(1) 35-Judicial Branch Facility Program.....	26,423,000	
	91,105,000	

- (2) Reimbursements..... -1,524,000
- Provisions:
1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of this item for the operation, repair, and maintenance of court facilities pursuant to Section 70352 of the Government Code.

SEC. 7. Item 0250-001-3138 is added to Section 2.00 of the Budget Act of 2009, to read:

0250-001-3138—For support of Judicial Branch, payable from the Immediate and Critical Needs Account, State Court Facilities Construction Fund..... 10,000,000

Schedule:

(1) 35-Judicial Branch Facility Program.... 10,000,000

SEC. 8. Item 0250-012-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-012-0001—For transfer by the Controller to the Court Facilities Trust Fund..... ~~5,887,000~~

5,785,000

SEC. 9. Item 0250-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-101-0001—For local assistance, Judicial Branch..... ~~19,224,000~~

18,409,000

Schedule:

- (1) 45.10-Support for Operation of Trial Courts..... ~~7,101,000~~*
- 6,430,000*
- (2) 45.55.010-Child Support Commissioners Program (Article 4 (commencing with Section 4250) of Chapter 2 of Part 2 of Division 9 of the Family Code)..... 54,332,000*
- (3) 45.55.020-California Collaborative and Drug Court Projects..... ~~5,806,000~~*
- 5,791,000*

1	(4) 45.55.030-Federal Child Access and	
2	Visitation Grant Program.....	800,000
3	(5) 45.55.050-Federal Court Improvement	
4	Grant Program.....	700,000
5	(6) 45.55.070-Grants—Other.....	745,000
6	(7) 45.55.080-Federal Grants—Other.....	775,000
7	(8) 45.55.090-Equal Access Fund Pro-	
8	gram.....	10,905,000
9		10,776,000
10	(9) Reimbursements.....	-59,665,000
11	(10) Amount payable from Federal Trust	
12	Fund (Item 0250-101-0890).....	-2,275,000
13	Provisions:	
14	1. In order to improve equal access and the fair adminis-	
15	tration of justice, the funds appropriated in Schedule	
16	(8) are to be distributed by the Judicial Council through	
17	the Legal Services Trust Fund Commission to qualified	
18	legal services projects and support centers as defined	
19	in Sections 6213 to 6215, inclusive, of the Business	
20	and Professions Code, to be used for legal services in	
21	civil matters for indigent persons. The Judicial Council	
22	shall approve awards made by the commission if the	
23	council determines that the awards comply with	
24	statutory and other relevant guidelines. Ten percent	
25	of the funds in Schedule (8) shall be for joint projects	
26	of courts and legal services programs to make legal	
27	assistance available to pro per litigants and 90 percent	
28	of the funds in Schedule (8) shall be distributed con-	
29	sistent with Sections 6216 to 6223, inclusive, of the	
30	Business and Professions Code. The Judicial Council	
31	may establish additional reporting or quality control	
32	requirements consistent with Sections 6213 to 6223,	
33	inclusive, of the Business and Professions Code.	
34	2. The amount appropriated in Schedule (1) is available	
35	for reimbursement of court costs related to the follow-	
36	ing activities: (a) payment of service of process fees	
37	billed to the trial courts pursuant to the provisions of	
38	Chapter 1009 of the Statutes of 2002;; (b) payment of	
39	the court costs payable under Sections 4750 to 4755,	
40	inclusive, and Section 6005 of the Penal Code;; and	

(c) payment of court costs of extraordinary homicide trials.

SEC. 10. Item 0250-101-0932 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-101-0932—For local assistance, Judicial Branch,
payable from the Trial Court Trust Fund..... 2,926,185,000
2,943,158,000

Schedule:

(1) 45.10-Support for Operation of the
Trial Courts..... 2,721,342,000
2,517,940,000

(2) 45.25-Compensation of Superior Court
Judges..... 299,046,000
296,205,000

(3) 45.35-Assigned Judges..... 26,326,000
26,047,000

(4) 45.45-Court Interpreters..... 93,908,000
92,794,000

(5) 45.55.060-Court Appointed Special
Advocate (CASA) Program..... 2,320,000
2,292,000

(6) 45.55.065-Model Self-Help Program.... 1,003,000
991,000

(7) 45.55.090-Equal Access Fund Pro-
gram..... 5,753,000
5,685,000

(8) 45.55.095-Family Law Information
Centers..... 361,000
357,000

(9) 45.55.100-Civil Case Coordination..... 858,000
848,000

(10) 97.20.001-Unallocated Reduction.... -224,732,000
0

(11) Reimbursements..... -1,000

Provisions:

1. Notwithstanding Section 26.00, the funds appropriated or scheduled in this item may be allocated or reallocated among categories by the Judicial Council.

2. The funds appropriated in Schedule (2) shall be made available for costs of the workers' compensation program for trial court judges.
3. The amount appropriated in Schedule (3) shall be made available for all judicial assignments. Schedule (3) expenditures for necessary support staff may not exceed the staffing level that is necessary to support the equivalent of three judicial officers sitting on assignments.
4. The funds appropriated in Schedule (4) shall be for payments for services of contractual court interpreters, and certified and registered court interpreters employed by the courts, and the following court interpreter coordinators: 1.0 each in counties of the 1st through the 15th classes, 0.5 each in counties of the 16th through the 31st classes, and 0.25 each in counties of the 32nd through the 58th classes. For the purposes of this provision, "court interpreter coordinators" may be full- or part-time court employees, or those contracted by the court to perform these services.

The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system.

The Judicial Council shall adopt appropriate rules and procedures for the administration of these funds. The Judicial Council shall report to the Legislature and Director of Finance annually regarding expenditures from this schedule.

5. Upon order of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the Trial Court Trust Fund, which is in addition to the amount appropriated in this item. Any augmentation shall be authorized no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the ~~chairperson~~ *chairpersons* of the ~~committee~~ *committees* and appropriate subcommittees that consider the State Budget, and the Chairperson

1 of the Joint Legislative Budget Committee, or not
2 sooner than whatever lesser time the chairperson of
3 the joint committee or his or her designee may deter-
4 mine.

- 5 6. Notwithstanding any other provision of law, upon ap-
6 proval and order of the ~~Department~~ *Director* of Fi-
7 nance, the amount appropriated in this item shall be
8 reduced by the amount transferred in Item 0250-115-
9 0932 to provide adequate resources to the Judicial
10 Branch Workers' Compensation Fund to pay workers'
11 compensation claims for judicial branch employees
12 and judges, and administrative costs pursuant to Sec-
13 tion 68114.10 of the Government Code.

- 14 7. Of the funds appropriated in Schedule (1), which will
15 be transferred to the Trial Court Improvement Fund
16 in accordance with subdivision (b) of Section 77209
17 of the Government Code, up to \$5,000,000 shall be
18 available for support of services for self-represented
19 litigants.

- 20 8. Upon approval by the Administrative Director of the
21 Courts, ~~and notification to the Department of Finance,~~
22 ~~the chairpersons of the committees in each house of~~
23 ~~the Legislature that consider appropriations and the~~
24 ~~State Budget, and the Chairperson of the Joint Legisla-~~
25 ~~tive Budget Committee, the Controller shall transfer~~
26 ~~by no more than \$3,953,000 up to \$11,274,000 to Item~~
27 ~~0250-001-0932 for recovery of costs for administrative~~
28 ~~services provided to the trial courts by the Administra-~~
29 ~~tive Office of the Courts. Any augmentations shall be~~
30 ~~authorized no sooner than 30 days after notification~~
31 ~~in writing to the chairpersons of the committees in~~
32 ~~each house of the Legislature that consider appropria-~~
33 ~~tions, the chairpersons of the committees and appropri-~~
34 ~~ate subcommittees that consider the State Budget, and~~
35 ~~the Chairperson of the Joint Legislative Budget Com-~~
36 ~~mittee, or not sooner than whatever lesser time the~~
37 ~~chairperson of the joint committee or his or her de-~~
38 ~~signee may determine.~~

- 39 9. In order to improve equal access and the fair adminis-
40 tration of justice, the funds appropriated in Schedule

(7) are available for distribution by the Judicial Council through the Legal Services Trust Fund Commission to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Upon approval by the Administrative Director of the Courts, the Controller shall transfer up to 5 percent of the funding appropriated in Schedule (7) to Item 0250-001-0932 for administrative expenses. Ten percent of the funds remaining after administrative costs shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds remaining after administrative costs shall be distributed consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.

10. Funds available for expenditure in Schedule (7) may be augmented by order of the Director of Finance by the amount of any additional resources deposited for distribution to the Equal Access Fund Program in accordance with Sections 68085.3 and 68085.4 of the Government Code. Any augmentation under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

11. Sixteen (16.0) subordinate judicial officer positions are authorized to be converted to judgeships in the

2009–10 fiscal year in the manner and pursuant to the authority described in subparagraph (B) of paragraph (1) of subdivision (b) of Section 69615 of the Government Code, as described in the notice filed by the Judicial Council under subdivision (b) of paragraph (3) of Section 69615.

12. *Notwithstanding any other provision of law, and upon approval of the Director of Finance, reimbursements in Schedule (11) may be increased by the amount of any additional resources collected for the recovery of costs for court-appointed dependency counsel services.*
13. *Upon approval of the Administrative Director of the Courts, the Controller shall transfer up to \$556,000 of the funding identified in Provision 12 of this item to Item 0250-001-0932 for administrative services provided to the trial courts in support of the court-appointed dependency counsel program.*
14. *This item includes a one-time augmentation of \$130,000,000 to offset the reductions in trial court funding in the 2009–10 fiscal year. The Judicial Council shall identify these funds from the uncommitted fund balance in the Trial Court Trust Fund, which may be augmented through transfers from the Judicial Administration Efficiency and Modernization Fund, the Trial Court Improvement Fund, and the Immediate and Critical Needs Account of the State Court Facilities Construction Fund, with specific amounts to be determined by the Judicial Council. The transfer of funds from the Immediate and Critical Needs Account of the State Court Facilities Construction Fund shall not exceed \$25,000,000.*

SEC. 11. Item 0250-102-0556 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-102-0556—For local assistance, Judicial Branch, payable from the Judicial Administration Efficiency and Modernization Fund.....	39,173,000
	38,709,000

Provisions:

1. Upon approval of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the Judicial Administration Efficiency and Modernization Fund, which is in addition to the amount appropriated in this item. Any augmentation shall be authorized no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the ~~chairperson of the joint committee~~ Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the ~~Chairperson of the Joint Legislative Budget Committee~~ chairperson of the joint committee or his or her designee may determine.

SEC. 12. Item 0250-111-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-111-0001—For transfer by the Controller to the Trial	
Court Trust Fund.....	1,689,529,000
	1,518,502,000

SEC. 13. Item 0250-111-0159 is added to Section 2.00 of the Budget Act of 2009, to read:

0250-111-0159—For transfer by the Controller to the Trial	
Court Trust Fund.....	1,000

Provisions:

1. The amount of funds available in this item may be augmented in the 2009–10 fiscal year pursuant to Provision 14 of Item 0250-101-0932.

SEC. 14. Item 0250-111-0556 is added to Section 2.00 of the Budget Act of 2009, to read:

0250-111-0556—For transfer by the Controller to the Trial
Court Trust Fund..... 1,000
Provisions:

1. The amount of funds available in this item may be augmented in the 2009–10 fiscal year pursuant to Provision 14 of Item 0250-101-0932.

SEC. 15. Item 0250-111-3138 is added to Section 2.00 of the Budget Act of 2009, to read:

0250-111-3138—For transfer by the Controller to the Trial
Court Trust Fund..... 1,000
Provisions:

1. The amount of funds available in this item may be augmented in the 2009–10 fiscal year pursuant to Provision 14 of Item 0250-101-0932.

SEC. 16. Item 0250-112-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-112-0001—For transfer by the Controller to the Judicial
Administration Efficiency and Modernization Fund..... 39,173,000
38,709,000

SEC. 17. Item 0250-301-0660 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-301-0660—For capital outlay, Judicial Branch, payable
from the Public-Utilities Buildings Construction Fund..... 33,919,000
Schedule:

- (1) 91.18.001-Lassen County: New Susanville Courthouse—Construction..... 33,919,000

Provisions:

1. The State Public Works Board may issue ~~lease-revenue~~ ~~lease-revenue~~ bonds, notes, or bond anticipation notes pursuant to Chapter 5 (commencing with Section 15830) of Part 10b of Division 3 of Title 2 of the Government Code to finance the design and construction of the project authorized by this item.

2. The Judicial Branch and the State Public Works Board are authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled projects.
3. The State Public Works Board shall not be deemed a lead or responsible agency for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) for any activities under the State Building Construction Act of 1955 (Part 10b (commencing with Section 15800) of Division 3 of Title 2 of the Government Code). This provision does not exempt the Judicial Council from the requirements of the California Environmental Quality Act. This ~~section~~ *provision* is intended to be declarative of existing law.

SEC. 18. Item 0250-301-3037 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-301-3037—For capital outlay, Judicial Branch, payable		
from the State Court Facilities Construction Fund.....		140,970,000
		43,100,000
Schedule:		
(1) 91.04.001—Butte County: New North		
County Courthouse—Acquisition.....	14,475,000	
(2) 91.13.001—Imperial County: New El		
Centro Courthouse—Family Court-		
house—Acquisition.....	2,683,000	
(3) 91.17.001—Lake County: New Lakeport		
Courthouse—Acquisition.....	2,610,000	
(4) 91.19.002—Los Angeles County: New		
Southeast Los Angeles Courthouse—		
Acquisition.....	22,726,000	
(5) 91.20.001—Madera County: New Madera		
Courthouse—Working drawings.....	4,863,000	
(6) 91.27.001—Monterey County: New South		
Monterey County Courthouse—Acqui-		
sition.....	686,000	

1	(7) 91.33.001-Riverside County: New	
2	Riverside Mid-County Courthouse—	
3	Working drawings.....	3,101,000
4	(8) 91.33.002-Riverside County: New Indio	
5	Juvenile and Family Courthouse—Ac-	
6	quisition.....	4,419,000
7	(9) 91.34.001-Sacramento County: New	
8	Sacramento Criminal Courthouse—Ac-	
9	quisition.....	3,096,000
10	(10) 91.36.001-San Bernardino County: New	
11	San Bernardino Courthouse—Working	
12	drawings.....	17,331,000
13	(11) 91.39.001-San Joaquin County: New	
14	Stockton Courthouse—Working draw-	
15	ings.....	13,186,000
16	(12) 91.45.001-Shasta County: New Redding	
17	Courthouse—Acquisition.....	6,996,000
18	(13) 91.49.001-Sonoma County: New Santa	
19	Rosa Criminal Courthouse—Acquisi-	
20	tion.....	14,737,000
21	(14) 91.51.001-Sutter County: New Yuba	
22	City Courthouse—Acquisition.....	1,059,000
23	(15) 91.52.001-Tehama County: New Red	
24	Bluff Courthouse—Acquisition.....	16,289,000
25	(16) 91.54.001-Tulare County: New Porter-	
26	ville Courthouse—Working draw-	
27	ings.....	4,619,000
28	(17) 91.57.001-Yolo County: New Wood-	
29	land Courthouse—Acquisition.....	8,094,000
30	Provisions:	
31	1. Notwithstanding any other provision of law, each	
32	county listed in this item shall transfer responsibility	
33	or responsibility and title to the state prior to the re-	
34	lease of funds for all acquisition projects.	
35	2. Notwithstanding any other provision of law, the Judi-	
36	cial Council and each county listed in this item shall	
37	have a county-approved <i>county-approved</i> final plan	
38	in place regarding disposition of space in shared-use	
39	facilities prior to the State Public Works Board autho-	
40	rizing acquisition for that project.	

3. The Judicial Branch may enter into a lease-purchase agreement with the County of Alameda for the New East County Courthouse project that will provide lease payments to the county subject to Department of Finance approval. The County of Alameda shall transfer responsibility, or responsibility and title of the existing court facilities in the County of Alameda prior to the approval of a lease-purchase agreement. At least 30 days prior to entering into any agreement, the Judicial Council shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the Judicial Council may proceed with the agreement after 30 days from when the Judicial Branch gave notice to the chairpersons.

SEC. 19. Item 0250-301-3138 is added to Section 2.00 of the Budget Act of 2009, to read:

0250-301-3138—For capital outlay, Judicial Branch, payable from the Immediate and Critical Needs Account.....	99,609,000
Schedule:	
(1) 91.04.001-Butte County: New North County Courthouse—Acquisition.....	14,475,000
(2) 91.13.001-Imperial County: New El Centro Courthouse—Acquisition.....	2,683,000
(3) 91.17.001-Lake County: New Lakeport Courthouse—Acquisition.....	2,610,000
(4) 91.19.002-Los Angeles County: New Southeast Los Angeles Courthouse—Acquisition.....	22,726,000
(5) 91.27.001-Monterey County: New South Monterey County Courthouse—Acquisition.....	686,000
(6) 91.33.002-Riverside County: New Indio Juvenile and Family Courthouse—Acquisition.....	4,419,000

1	(7) 91.34.001-Sacramento County: New	
2	Sacramento Criminal Courthouse—Ac-	
3	quisition.....	3,096,000
4	(8) 91.45.001-Shasta County: New Redding	
5	Courthouse—Acquisition.....	6,996,000
6	(9) 91.49.001-Sonoma County: New Santa	
7	Rose Criminal Courthouse—Acquisi-	
8	tion.....	14,737,000
9	(10) 91.51.001-Sutter County: New Yuba	
10	City Courthouse—Acquisition.....	1,059,000
11	(11) 91.52.001-Tehama County: New Red	
12	Bluff Courthouse—Acquisition.....	16,289,000
13	(12) 91.57.001-Yolo County: New Woodland	
14	Courthouse—Acquisition.....	8,094,000
15	(13) 91.48.001-Solano County: Renovation	
16	to the Fairfield Old Solano Court-	
17	house—Acquisition and preliminary	
18	plans.....	1,739,000
19	Provisions:	
20	1. Notwithstanding any other provision of law, each	
21	county listed in this item shall transfer responsibility	
22	or responsibility and title to the state prior to the re-	
23	lease of funds for all acquisition projects.	
24	2. Notwithstanding any other provision of law, the Judi-	
25	cial Council and each county listed in this item shall	
26	have a county-approved final plan in place regarding	
27	disposition of space in shared-use facilities prior to	
28	the State Public Works Board authorizing acquisition	
29	for that project.	
30	3. The Judicial Branch may enter into a lease-purchase	
31	agreement with the County of Alameda for the New	
32	East County Courthouse project that will provide lease	
33	payments to the county subject to approval by the Di-	
34	rector of Finance. The County of Alameda shall	
35	transfer responsibility, or responsibility and title, of	
36	the existing court facilities in the County of Alameda	
37	prior to the approval of a lease-purchase agreement.	
38	At least 30 days prior to entering into any agreement,	
39	the Judicial Council shall notify the chairpersons of	
40	the committees in each house of the Legislature that	

consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the Judicial Council may proceed with the agreement after 30 days from when the Judicial Branch gave notice to the chairpersons.

4. The Judicial Branch may enter into a lease-purchase agreement with the County of Santa Clara for the New Family Justice Center Courthouse project that will provide lease payments to the county subject to approval by the Director of Finance. The County of Santa Clara shall transfer responsibility, or responsibility and title, of the existing court facilities in the County of Santa Clara prior to the approval of a lease-purchase agreement. At least 30 days prior to entering into any agreement, the Judicial Council shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the Judicial Council may proceed with the agreement after 30 days from when the Judicial Branch gave notice to the chairpersons.

SEC. 20. Item 0250-490 is added to Section 2.00 of the Budget Act of 2009, to read:

0250-490—Reappropriation, Judicial Branch. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations:

3037—State Court Facilities Construction Fund

(1) Item 0250-301-3037, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(0.5) 91.05.001-Calaveras County: New San Andreas Courthouse—Working drawings

- 1 (1.5) 91.18.001-Lassen County: New Susanville
 2 Courthouse—Working drawings
 3 (2) 91.20.001-Madera County: New Madera Court-
 4 house—Preliminary plans
 5 (3) 91.26.001-Mono County: New Mammoth Lakes
 6 Courthouse—Construction
 7 (5.5) 91.35.001-San Benito County: New Hollister
 8 Courthouse—Preliminary plans and working
 9 drawings
 10 (7) 91.39.001-San Joaquin County: New Stockton
 11 Courthouse—Preliminary plans
 12

13 SEC. 21. Item 0502-001-0001 of Section 2.00 of the Budget
 14 Act of 2009 is amended to read:
 15

16	0502-001-0001—For support of the Office of the State Chief	
17	Information Officer.....	4,253,000
18		4,721,000
19	Schedule:	
20	(1) Office 10 -Office of the State Chief In-	
21	formation Officer.....	7,685,000
22		251,454,000
23	(1.2) 20-Project Review and Oversight.....	74,124,000
24	(2) Reimbursements.....	-900,000
25		-1,368,000
26	(2.1) Amount payable from the State Emer-	
27	gency Telephone Number Account	
28	(Item 0502-001-0022).....	-2,269,000
29	(2.2) Amount payable from the Service Re-	
30	volving Fund (Item 0502-001-	
31	0666).....	-74,972,000
32	(2.3) Amount payable from the Depart-	
33	ment of Technology Services Revolv-	
34	ing Fund (Item 0502-001-9730).....	-239,283,000
35	(3) Amount payable from the Central Ser-	
36	vice Cost Recovery Fund (Item 0502-	
37	001-9740).....	-2,532,000
38		-2,965,000

Provisions:

1. *Notwithstanding any other provision of law, funds appropriated in this item may be transferred to Item 1760-001-0666 if the Director of Finance determines the transfer to be necessary to carry out Governor's Reorganization Plan No. 1 of 2009. These transfers may be made upon the order of the Director of Finance not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.*

SEC. 22. Item 0502-001-0022 is added to Section 2.00 of the Budget Act of 2009, to read:

<i>0502-001-0022—For support of the Office of the State Chief Information Officer, for payment to Item 0502-001-0001, payable from the State Emergency Telephone Number Account.....</i>	<i>2,269,000</i>
--	------------------

SEC. 23. Item 0502-001-0666 is added to Section 2.00 of the Budget Act of 2009, to read:

<i>0502-001-0666—For support of the Office of the State Chief Information Officer, for payment to Item 0502-001-0001, payable from the Service Revolving Fund.....</i>	<i>74,972,000</i>
--	-------------------

SEC. 24. Item 0502-001-9730 is added to Section 2.00 of the Budget Act of 2009, to read:

<i>0502-001-9730—For support of the Office of the State Chief Information Officer, for payment to Item 0502-001-0001, payable from the Department of Technology Services Revolving Fund.....</i>	<i>239,283,000</i>
--	--------------------

SEC. 25. Item 0502-001-9740 of Section 2.00 of the Budget Act of 2009 is amended to read:

0502-001-9740—For support of the Office of the State Chief Information Officer, for payment to Item 0502-001-0001, payable from the Central Service Cost Recovery Fund.....	2,532,000
	2,965,000

SEC. 26. Item 0502-101-0022 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-101-0022—For local assistance, Office of the State Chief Information Officer, for payment to the Department of General Services, for reimbursement of local agencies, service suppliers, and communication equipment companies for costs incurred pursuant to Sections 41137, 41137.1, 41138, and 41140 of the Revenue and Taxation Code, payable from the State Emergency Telephone Number Account.....	120,604,000
Schedule:	
(1) 911 Emergency Telephone Number System.....	104,523,000
(2) Enhanced Wireless Services.....	16,081,000

SEC. 27. Item 0502-301-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0001—For capital outlay, Office of the Chief Information Officer.....	0
Schedule:	
(1) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings.....	95,000
(2) Reimbursements.....	–95,000
Provisions:	
1. Notwithstanding any other provision of law, the funds appropriated in this item shall be reimbursed from the Department of Water Resources.	

SEC. 28. Item 0502-301-0042 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0042—For capital outlay, Office of the Chief Information Officer, payable from the State Highway Account, State Transportation Fund 555,000

Schedule:

(1) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 555,000

SEC. 29. Item 0502-301-0044 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0044—For capital outlay, Office of the Chief Information Officer, payable from the Motor Vehicle Account, State Transportation Fund..... 1,406,000

Schedule:

(1) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 1,406,000

SEC. 30. Item 0502-301-0200 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0200—For capital outlay, Office of the Chief Information Officer, payable from the Fish and Game Preservation Fund..... 126,000

Schedule:

(1) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 126,000

SEC. 31. Item 0502-301-0768 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0768—For capital outlay, Office of the Chief Information Officer, payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990..... 1,028,000

Schedule:

(1) 50.10.250-Sacramento Public Safety
Communications Decentralization, Re-
sources—Working drawings..... 1,028,000

SEC. 32. Item 0510-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:

0510-001-0001—For support of Secretary of State and Con-
sumer Services..... ~~1,439,000~~
971,000

Schedule:

(1) Support..... ~~3,415,000~~
2,514,000
(2) Reimbursements..... -644,000
(3) Amount payable from the Central Ser-
vice Cost Recovery Fund (Item 0510-
001-9740)..... ~~-1,332,000~~
-899,000

SEC. 33. Item 0510-001-9740 of Section 2.00 of the Budget
Act of 2009 is amended to read:

0510-001-9740—For support of Secretary of State and Con-
sumer Services, for payment to Item 0510-001-0001,
payable from the Central Service Cost Recovery Fund..... ~~1,332,000~~
899,000

SEC. 34. Item 0520-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:

0520-001-0001—For support of Secretary of Business, Trans-
portation and Housing, for payment to Item 0520-001-
0044..... ~~2,036,000~~
2,428,000

Provisions:

1. Of the amount appropriated in this item, \$939,000
shall be available for use by the California Travel and
Tourism Commission for use in promoting California
tourism to potential visitors.

SEC. 35. Item 0520-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

0520-001-0044—For support of Secretary of Business, Transportation and Housing, payable from the Motor Vehicle Account, State Transportation Fund..... 1,580,000

Schedule:

(1) 10-Administration of Business, Transportation and Housing Agency..... 3,607,000

(2) 25-Infrastructure Finance and Economic Development Program..... 8,118,000
7,913,000

(3) Reimbursements..... -3,208,000

(4) Amount payable from the General Fund (Item 0520-001-0001)..... -2,036,000
-2,428,000

(5) Amount payable from the California Infrastructure and Economic Development Bank Fund (Item 0520-001-0649)..... -3,932,000

(6) Amount payable from the California Small Business Expansion Fund (Item 0520-001-0918)..... -570,000
-285,000

(7) Amount payable from the Welcome Center Fund (Item 0520-001-3083)..... -77,000

(8) Amount payable from the Film Promotion and Marketing Fund (Item 0520-001-3095)..... -10,000

~~(9) Amount payable from the Chrome Plating Pollution Prevention Fund (Item 0520-001-9329)..... -312,000~~

Provisions:

~~1. Of the amount appropriated in Schedule (2), \$85,000 is for reimbursement of the Department of Toxic Substances Control for expansion of the Model Shop Program pursuant to Chapter 2 (commencing with Section 42100) of Part 3 of Division 30 of the Public Resources Code.~~

1
2 *SEC. 36. Item 0520-001-0918 of Section 2.00 of the Budget*
3 *Act of 2009 is amended to read:*

4
5 0520-001-0918—For support of Secretary of Business, Trans-
6 portation and Housing, for payment to Item 0520-001-
7 0044, payable from the California Small Business Expan-
8 sion Fund..... 570,000
9 285,000

10
11 *SEC. 37. Item 0520-001-9329 of Section 2.00 of the Budget*
12 *Act of 2009 is repealed.*

13
14 ~~0520-001-9329—For support of Secretary of Business, Trans-~~
15 ~~portation and Housing, for payment to Item 0520-001-0044,~~
16 ~~payable from the Chrome Plating Pollution Prevention~~
17 ~~Fund..... 312,000~~

18
19 *SEC. 38. Item 0520-011-0001 of Section 2.00 of the Budget*
20 *Act of 2009 is amended to read:*

21
22 0520-011-0001—For transfer, upon order of the Director of
23 Finance, to the Small Business Expansion Fund..... 3,446,000
24 1,723,000

25
26 *SEC. 39. Item 0520-101-9329 of Section 2.00 of the Budget*
27 *Act of 2009 is repealed.*

28
29 ~~0520-101-9329—For local assistance, Secretary of Business,~~
30 ~~Transportation and Housing, payable from the Chrome~~
31 ~~Plating Pollution Prevention Fund..... 250,000~~

32 ~~Provisions:~~

- 33 ~~1. Notwithstanding any other provision of law, the Direc-~~
34 ~~tor of Finance may adjust amounts in this appropriation~~
35 ~~item for payment of defaults and related costs on loan~~
36 ~~guarantees made pursuant to Chapter 2 (commencing~~
37 ~~with Section 42100) of Part 3 of Division 30 of the~~
38 ~~Public Resources Code. Within 30 days of making an~~
39 ~~adjustment, the Department of Finance shall report~~

~~the adjustment in writing to the Joint Legislative
Budget Committee.~~

*SEC. 40. Item 0530-001-3151 is added to Section 2.00 of the
Budget Act of 2009, to read:*

*0530-001-3151—For support of Secretary of California Health
and Human Services..... 0
Provisions:*

*1. The Director of Finance may authorize an increase
in this appropriation, up to the total amount collected
from administrative fines assessed by the Office of
Health Information Integrity pursuant to Section 56.36
of the Civil Code. Any such approval shall be accom-
panied by the approval of an amended spending plan
submitted by the Office of Health Information Integrity
providing detailed justification for the increased ex-
penses. An approval of an augmentation or spending
plan may be authorized not sooner than 30 days after
notification is provided to the Chairperson of the Joint
Legislative Budget Committee in writing, or not
sooner than whatever lesser time the chairperson of
the joint committee, or his or her designee, may deter-
mine.*

*SEC. 41. Item 0530-001-9732 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

*0530-001-9732—For support of Secretary of California Health
and Human Services, payable from the Office of Systems
Integration Fund..... 236,058,000
246,640,000*

Schedule:

*(1) 30-Office of Systems Integration..... 236,058,000
246,640,000*

*SEC. 42. Item 0540-001-0140 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

1	0540-001-0140—For support of Secretary of the <i>Natural Re-</i>	
2	sources Agency, payable from the <i>California</i> Environmen-	
3	tal License Plate Fund.....	3,326,000
4		3,376,000
5	Schedule:	
6	(1) 10-Administration of <i>Natural</i> Resources	
7	Agency.....	41,399,000
8		41,449,000
9	(2) 20-CALFED Bay-Delta Program.....	17,814,000
10		20,713,000
11	(3) Reimbursements.....	-8,904,000
12	(4) Amount payable from the General Fund	
13	(Item 0540-001-0001).....	-5,736,000
14	(5) Amount payable from the Safe Neigh-	
15	borhood Parks, Clean Water, Clean Air,	
16	and Coastal Protection Bond Fund (Item	
17	0540-001-0005).....	-274,000
18	(6) Amount payable from the Environmen-	
19	tal Enhancement and Mitigation Pro-	
20	gram Fund (Item 0540-001-0183).....	-141,000
21	(7) Amount payable from the Federal Trust	
22	Fund (Item 0540-001-0890).....	-8,471,000
23	(8) Amount payable from the California	
24	Clean Water, Clean Air, Safe Neighbor-	
25	hood Parks, and Coastal Protection Fund	
26	(Item 0540-001-6029).....	-2,072,000
27	(9) Amount payable from the Water Securi-	
28	ty, Clean Drinking Water, Coastal and	
29	Beach Protection Fund of 2002 (Item	
30	0540-001-6031).....	-3,976,000
31		-6,875,000
32	(10) Amount payable from the Safe Drink-	
33	ing Water, Water Quality and Supply,	
34	Flood Control, River and Coastal Pro-	
35	tection Fund of 2006 (Item 0540-001-	
36	6051).....	-26,046,000
37	(11) Amount payable from the Disaster Pre-	
38	paredness and Flood Prevention Bond	
39	Fund of 2006 (Item 0540-001-6052)....	-267,000
40		

SEC. 43. Item 0540-001-6031 of Section 2.00 of the Budget Act of 2009 is amended to read:

0540-001-6031—For support of Secretary of the Natural Resources Agency, for payment to Item 0540-001-0140, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002..... 3,976,000
6,875,000

Provisions:

1. The funds appropriated in this item for purposes of CALFED Science Program grants shall be available for encumbrance or expenditure until June 30, 2012.
2. If legislation is enacted that establishes new policy priorities for the Sacramento-San Joaquin Delta and a new governance structure for the Delta, the funding provided in this item for the CALFED Science Program shall continue to be available if it is consistent with the newly established priorities and governance structure.

SEC. 44. Item 0540-001-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

0540-001-6051—For support of Secretary of the Natural Resources Agency, for payment to Item 0540-001-0140, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 26,046,000

Provisions:

1. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall be available for encumbrance or expenditure until June 30, 2012, for purposes of support, local assistance, or capital outlay.
2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall continue only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in Natural Re-

sources Defense Council v. Rodgers (2005) 381 F.Supp.2d 1212.

3. *Of the funds appropriated in this item, \$800,000 shall be for the City of Calexico for environmental review, engineering design, and associated planning necessary to develop a river parkway plan and river improvement project for the New River. These funds are hereby appropriated in order to secure and serve as matching funds for the \$4,000,000 appropriation from the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (P.L. 109-59) to the City of Calexico for the development of bicycle paths and public park space adjacent to the New River.*

SEC. 45. *Item 0540-101-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:*

0540-101-6051—For local assistance, Secretary of the Resources Agency, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006.....	28,365,000
	40,365,000

Provisions:

1. The funds appropriated in this item for purposes of subdivision (d) of Section 75050 of the Public Resources Code shall be available for encumbrance until June 30, 2012, for purposes of support, local assistance, or capital outlay.
- 1.5. *Notwithstanding any provision of law, of the funds appropriated in this item for purposes of subdivision (c) of Section 75065 of the Public Resources Code, \$12,000,000 shall be available for planning grants and incentives, including revolving loan programs and other methods for data gathering and model development necessary to comply with SB 375, and shall be available for the purposes of support or local assistance. It is the intent of the Legislature to have these funds committed by October 1, 2009.*
2. The funds received by other state agencies from this item in accordance with subdivision (d) of Section

75050 of the Public Resources Code are exempt from the reporting requirements of Section 28.50.

SEC. 46. Item 0540-490 of Section 2.00 of the Budget Act of 2009 is amended to read:

0540-490—Reappropriation, Secretary of the *Natural Resources Agency*. The balances of the appropriations provided for in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2012:

0140—California Environmental License Plate Fund

(1) *Reimbursements, Item 0540-001-0140, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the purposes of the CALFED Science Program*

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) *Item 0540-001-6029, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 0540-490, Budget Act of 2004 (Ch. 208, Stats. 2004)*

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) *Item 0540-001-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the purposes of the CALFED Science Program*

SEC. 47. Item 0540-491 is added to Section 2.00 of the Budget Act of 2009, to read:

0540-491—Reappropriation, Secretary for *Natural Resources*. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations is extended to June 30, 2011:

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) *0540-101-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for the River Parkways Program and the Sierra Nevada Cascade Conservation Program*

SEC. 48. Item 0540-493 is added to Section 2.00 of the Budget Act of 2009, to read:

0540-493—Reappropriation, Secretary for Natural Resources.

The balances provided for in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2010:

0890—Federal Trust Fund

(1) Item 0540-001-0890, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the Coastal Assistance Program

SEC. 49. Item 0555-001-0028 of Section 2.00 of the Budget Act of 2009 is amended to read:

0555-001-0028—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Unified Program Account.....	1,487,000
	4,219,000

SEC. 50. Item 0555-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

0555-001-0044—For support of Secretary for Environmental Protection, payable from the Motor Vehicle Account, State Transportation Fund.....	1,965,000
Schedule:	
(1) 30-Support.....	15,161,000
	17,885,000
(2) Reimbursements.....	-2,004,000
(3) Amount payable from the General Fund (Item 0555-001-0001).....	-1,070,000
(4) Amount payable from the Hazardous Waste Control Account (Item 0555-001-0014).....	-327,000
(5) Amount payable from the Unified Program Account (Item 0555-001-0028)....	-1,487,000
	-4,219,000

1	(6) Amount payable from the California	
2	Used Oil Recycling Fund (Item 0555-	
3	001-0100).....	-30,000
4	(7) Amount payable from the Department	
5	of Pesticide Regulation Fund (Item	
6	0555-001-0106).....	-842,000
7	(8) Amount payable from the Air Pollution	
8	Control Fund (Item 0555-001-0115).....	-1,462,000
9	(9) Amount payable from the Waste Dis-	
10	charge Permit Fund (Item 0555-001-	
11	0193).....	-318,000
12	(10) Amount payable from the Public Re-	
13	sources Account, Cigarette and Tobacco	
14	Products Surtax Fund (Item 0555-001-	
15	0235).....	-64,000
16		-56,000
17	(11) Amount payable from the Recycling	
18	Market Development Revolving Loan	
19	Subaccount, Integrated Waste Manage-	
20	ment Fund (Item 0555-001-0281).....	-150,000
21	(12) Amount payable from the Integrated	
22	Waste Management Account, Integrated	
23	Waste Management Fund (Item 0555-	
24	001-0387).....	-768,000
25	(13) Amount payable from the Underground	
26	Storage Tank Cleanup Fund (Item	
27	0555-001-0439).....	-875,000
28	(14) Amount payable from the State Water	
29	Quality Control Fund (Item 0555-001-	
30	0679).....	-188,000
31	(15) Amount payable from the Rural CUPA	
32	Reimbursement Account (Item 0555-	
33	001-1006).....	-862,000
34	(16) Amount payable from the Water Rights	
35	Fund (Item 0555-001-3058).....	-40,000
36	(17) Amount payable from the Environmen-	
37	tal Enforcement and Training Account	
38	(Item 0555-001-8013).....	-2,132,000

(18) Amount payable from the Environmental Education Account (Item 0555-001-8020)..... -577,000

Provisions:

1. Notwithstanding Section 48653 of the Public Resources Code, funds appropriated in this item from the California Used Oil Recycling Fund shall be available for purposes of administration.
2. Funds appropriated in this item from the Environmental Education Account are available for appropriation only to the extent that funding is received in the Environmental Education Account established by Section 71305 of the Public Resources Code.

SEC. 51. Item 0555-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

0555-001-0235—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund..... 64,000
56,000

SEC. 52. Item 0559-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0559-001-0001—For support of the Labor and Workforce Development Agency..... 0

Schedule:

- (1) 10-Office of the Secretary of Labor and Workforce Development..... 4,668,000
3,138,000
- (2) Reimbursements..... -2,712,000
- (3) Amount payable from the Labor and Workforce Development Fund (Item 0559-001-3078)..... -1,956,000
-426,000

SEC. 53. Item 0559-001-3078 of Section 2.00 of the Budget Act of 2009 is amended to read:

0559-001-3078—For support of the Labor and Workforce Development Agency, for payment to Item 0559-001-0001, payable from the Labor and Workforce Development Fund..... 1,956,000
426,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

SEC. 54. Item 0559-011-3078 is added to Section 2.00 of the Budget Act of 2009, to read:

0559-011-3078—For transfer by the Controller, upon order of the Director of Finance, from the Labor and Workforce Development Fund, to the General Fund..... (5,500,000)

Provisions:

1. In addition to the amount specified in this item, the Controller shall transfer to the General Fund the unencumbered balance in the Labor and Workforce Development Fund as of June 30, 2010, as determined by the Director of Finance.

SEC. 55. Item 0650-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0650-001-0001—For support of Office of Planning and Research..... 5,990,000
4,236,000

Schedule:

- (1) 11-State Planning and Policy Development..... 5,954,000
1,025,487,000
- (2) 21-California Volunteers..... 6,732,000
6,160,000
- (3) Reimbursements..... -3,588,000
- (4) ~~Amount payable from the Restitution~~
~~Fund (Item 0650-001-0214).....~~ -285,000

(5) Amount payable from the Federal
Trust Fund (Item 0650-001-
0890)..... -2,119,000
-1,023,119,000

(6) Amount payable from the Central Ser-
vice Cost Recovery Fund (Item 0650-
001-9740)..... -704,000

*SEC. 56. Item 0650-001-0214 of Section 2.00 of the Budget
Act of 2009 is repealed.*

~~0650-001-0214—For support of the Office of Planning and
Research, for payment to Item 0650-001-0001, payable
from the Restitution Fund..... 285,000~~

*SEC. 57. Item 0650-001-0890 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

0650-001-0890—For support of Office of Planning and Re-
search, for payment to Item 0650-001-0001, payable
from the Federal Trust Fund..... 2,119,000
1,023,119,000

*SEC. 58. Item 0650-101-0214 of Section 2.00 of the Budget
Act of 2009 is repealed.*

~~0650-101-0214—For local assistance, Office of Planning and
Research, Program 11, State Planning and Policy Develop-
ment, payable from the Restitution Fund..... 9,215,000~~

~~Schedule:~~

~~(1) 11-State Planning and Policy Develop-
ment..... 9,215,000
(a) Grants to the City of Los Ange-
les..... (1,000,000)
(b) Competitive grants to all other
cities..... (8,215,000)~~

~~Provisions:~~

~~1. All grantees must provide a dollar-for-dollar match to
state grant funds awarded from Schedules (1) and (2).~~

2. ~~The Office of Planning and Research shall submit a report and evaluation of the grants awarded pursuant to Schedules (1) and (2) to the fiscal committees of the Legislature not later than April 1, 2013.~~
3. ~~The amount appropriated in Schedule (2) shall be competitive grants to cities. No grant shall exceed \$500,000, and at least two grants shall be awarded to cities with populations of 200,000 or less. In awarding grants, the Office of Planning and Research shall give preference to applicants that incorporate regional approaches to anti-gang activities.~~
5. ~~Each city that receives a grant from Schedule (1) or (2) shall collaborate and coordinate with area jurisdictions and agencies, including the existing county juvenile justice coordination council, with the goal of reducing gang activity in the city and adjacent areas. Each grantee shall establish a coordinating and advisory council to prioritize the use of the funds. Membership shall include city officials, local law enforcement, including the county sheriff, chief probation officer, and district attorney, local educational agencies, including school districts and the county office of education, and community-based organizations.~~
6. ~~Each city that receives a grant from Schedule (1) or (2) shall distribute at least 20 percent of the grant funds it receives to one or more community-based organizations pursuant to the city's application.~~

SEC. 59. Item 0650-102-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0650-102-0890—For local assistance, Office of Planning and Research, Program 11-State Planning and Policy Development, payable from the Federal Trust Fund..... 1,110,000,000

SEC. 60. Item 0650-490 is added to Section 2.00 of the Budget Act of 2009, to read:

0650-490—Reappropriation, Office of Planning and Research.
 The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2010:

0001—General Fund

(1) Item 0650-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), \$777,000 for the 2010 Census Program

SEC. 61. Item 0690-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-001-0001—For support of the California Emergency Management Agency.....		44,813,000
		45,995,000
Schedule:		
(1) 20-Emergency Management Services....	68,171,000	
(2) 40-Special Programs and Grant Management.....	71,498,000	
	78,678,000	
(3) 65.01-Administration and Executive Program.....	14,851,000	
	15,257,000	
(4) 65.02-Distributed Administration and Executive.....	14,851,000	
	15,257,000	
(5) Reimbursements.....	4,284,000	
(6) Amount payable from the Unified Program Account (Item 0690-001-0028)....	824,000	
(7) Amount payable from the Nuclear Planning Assessment Special Account (Item 0690-001-0029).....	1,089,000	
(7.5) Amount payable from the Restitution Fund (Item 0690-001-0214).....	285,000	
(9) Amount payable from the Federal Trust Fund (Item 0690-001-0890).....	85,396,000	
	89,964,000	

1	(10) Amount payable from the Local Public	
2	Prosecutors and Public Defender	
3	Training Fund (Item 0690-002-0241)....	-80,000
4	(11) Amount payable from the Victim Wit-	
5	ness Victim-Witness Assistance Fund	
6	(Item 0690-002-0425).....	-1,290,000
7	(12) Amount payable from the Equality in	
8	Prevention and Services for Domestic	
9	Abuse Fund (Item 0690-001-3112).....	-60,000
10	(13) Amount payable from the Transit Sys-	
11	tem Safety, Security, and Disaster Re-	
12	sponse Account, Highway Safety,	
13	Traffic Reduction, Air Quality, and Port	
14	Security Fund of 2006 (Item 0690-001-	
15	6061).....	-1,509,000
16		-2,654,000
17	(15) Amount payable from the Antiterrorism	
18	Fund (Item 0690-010-3034).....	-324,000
19	Provisions:	
20	1. Funds appropriated in this item may be reduced by the	
21	Director of Finance, after giving notice to the Chair-	
22	person of the Joint Legislative Budget Committee, by	
23	the amount of federal funds made available for the	
24	purposes of this item in excess of the federal funds	
25	scheduled in Item 0690-001-0890.	
26	2. The California Emergency Management Agency shall	
27	charge tuition for all training offered through the Cal-	
28	ifornia Specialized Training Institute.	
29	3. Upon approval by the Department of Finance, the	
30	Controller shall transfer such funds as are necessary	
31	between this item and Item 0690-101-0890.	
32	4. Notwithstanding Section 8581.5 of the Government	
33	Code, the California Emergency Council shall not be	
34	required to publish a biennial report on the state of	
35	emergency preparedness for catastrophic disasters, as	
36	specified, during the 2009–10 fiscal year.	

38 *SEC. 62. Item 0690-001-0214 is added to Section 2.00 of the*
39 *Budget Act of 2009, to read:*

0690-001-0214—For support of the California Emergency Management Agency, for payment to Item 0690-001-0001, payable from the Restitution Fund..... 285,000

SEC. 63. Item 0690-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-001-0890—For support of the California Emergency Management Agency, for payment to Item 0690-001-0001, payable from the Federal Trust Fund..... 85,396,000
89,964,000

Provisions:

1. Any funds that may become available, in addition to the funds appropriated in this item, for disaster response and recovery may be allocated by the Department of Finance subject to the conditions of Section 28.00, except that, notwithstanding subdivision (d) of that section, the allocations may be made 30 days or less after notification of the Legislature.
2. Notwithstanding any other provision of law, the funds appropriated in this item may be expended without regard to the fiscal year in which the application for reimbursement was submitted to the Federal Emergency Management Agency.

SEC. 64. Item 0690-001-6061 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-001-6061—For support of the California Emergency Management Agency, for payment to Item 0690-001-0001, payable from the Transit System Safety, Security, and Disaster Response Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 1,509,000
2,654,000

Provisions:

1. Upon approval of the Director of Finance, expenditure authority for this item may be increased by up to \$200,000 to reimburse the Department of Finance for bond audit costs related to the implementation of

Proposition 1B. Any augmentation shall be authorized no sooner than 30 days after notification in writing to the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

SEC. 65. Item 0690-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-101-0890—For local assistance, California Emergency Management Agency, payable from the Federal Trust Fund..... 878,826,000
893,581,000

Schedule:

(1) 20-Emergency Management Services.... 16,100,000
30,855,000

(2) 40-Special Programs and Grant Management..... 862,726,000

Provisions:

1. Any federal funds that may become available in addition to the funds appropriated in this item for Program 40-Disaster Assistance are exempt from Section 28.00.

SEC. 66. Item 0690-102-0214 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-102-0214—For local assistance, California Emergency Management Agency, payable from the Restitution Fund.... 500,000
9,715,000

Schedule:

(1) Internet Crimes Against Children Task Force funding..... 500,000

(2) 40.30-Public Safety..... 9,215,000

(a) Grants to the City of Los Angeles..... (1,000,000)

(b) Competitive grants to all other cities..... (8,215,000)

Provisions:

1. All grantees must provide a dollar-for-dollar match to state grant funds awarded from Schedule (2).
2. The California Emergency Management Agency shall submit a report and evaluation of the grants awarded pursuant to Schedule (2) to the fiscal committees of the Legislature not later than April 1, 2013.
3. The amount appropriated in Schedule (2)(b) shall be competitive grants to cities. No grant shall exceed \$500,000, and at least two grants shall be awarded to cities with populations of 200,000 or less. In awarding grants, the California Emergency Management Agency shall give preference to applicants that incorporate regional approaches to antigang activities.
4. Each city that receives a grant from Schedule (2) shall collaborate and coordinate with area jurisdictions and agencies, including the existing county juvenile justice coordination council, with the goal of reducing gang activity in the city and adjacent areas. Each grantee shall establish a coordinating and advisory council to prioritize the use of the funds. Membership shall include city officials, local law enforcement, including the county sheriff, chief probation officer, and district attorney, local educational agencies, including school districts and the county office of education, and community-based organizations.
5. Each city that receives a grant from Schedule (2) shall distribute at least 20 percent of the grant funds it receives to one or more community-based organizations pursuant to the city's application.

SEC. 67. Item 0690-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-102-0890—For local assistance, California Emergency Management Agency, payable from the Federal Trust		
Fund.....		111,209,000
		251,259,000
Schedule:		
(1) 40.20-Victim Services.....	66,516,000	

(2) 40.30-Public Safety..... ~~44,693,000~~
184,743,000

Provisions:

1. Notwithstanding any other provision of law, the California Emergency Management Agency may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cashflow problems according to the criteria set forth by the California Emergency Management Agency.
2. *This item includes \$135,050,000 in funds for the purpose of administering federal Edward Byrne Memorial Justice Assistance Grant program funding provided by the American Recovery and Reinvestment Act of 2009. The California Emergency Management Agency (Cal EMA) shall distribute these one-time funds in the 2009–10 fiscal year consistent with the following requirements:*
 - (a) *Of the total provided, \$45,000,000 shall be used to provide substance abuse treatment for criminal offenders convicted of nonviolent drug offenses in the Offender Treatment Program authorized under Section 11999.30 of the Health and Safety Code, a deferred entry of judgment program authorized by Section 1000 of the Penal Code, a diversion program authorized by Section 1000.5 of the Penal Code, or a similar program funded through the State Department of Alcohol and Drug Programs (DADP). Any programs receiving funding shall follow a drug court model, establish and maintain protocols for the use of drug testing to monitor offenders' progress in treatment, and work collaboratively with probation departments, other local law enforcement agencies, the district attorney, the public defender, and appropriate community-based organizations. Of this amount, \$600,000 shall be for Cal EMA to enter into an interagency agreement with DADP to distribute and administer these funds according to program*

1 requirements. The remaining \$44,400,000 provid-
2 ed for these programs shall be passed through to
3 counties as local assistance.

- 4 (b) Of the total provided, \$45,000,000 shall be used
5 to provide grants to county probation departments
6 for the purpose of providing evidence-based su-
7 pervision, programs, or services to adult felon
8 probationers with the purpose of reducing the
9 likelihood that these probationers will commit
10 new crimes or other violations and be sent to
11 prison. In order to receive funding, applicants
12 seeking these funds shall be required to demon-
13 strate that the programs for which they are seek-
14 ing funds are evidence-based and targeted toward
15 adults on felony probation. Applicants shall also
16 be required to demonstrate how these programs
17 create jobs. Cal EMA shall seek to distribute these
18 funds proportionately to all county probation de-
19 partments that submit qualifying applications
20 based on each county's population of adults 18
21 to 25 years of age, inclusive, provided that each
22 county receiving funding shall receive a minimum
23 of \$25,000. An evidence-based program for adult
24 probationers is one for which the applicant can
25 identify empirical evidence that the program has
26 been shown to reduce rates of reoffending, rear-
27 rest, reconviction, or reincarceration for program
28 participants or that the program is considered a
29 best practice in the criminal justice literature.
30 Evidence-based programs for adult offenders in-
31 clude, but are not limited to, risk and needs assess-
32 ments, graduated sanctions for probation viola-
33 tors, substance abuse and mental health treat-
34 ment, employment and training assistance, case
35 management, intensive supervision for high-risk
36 offenders coupled with treatment services, and
37 program evaluation. Applicants must demonstrate
38 how specified outcome-based measures consistent
39 with the goals of this program will be identified
40 and tracked. A total of \$424,000 of the

1 \$45,000,000 funded for this program shall be
2 awarded to the Administrative Office of the Courts
3 for the purpose of providing technical assistance
4 to recipient counties in implementing these grants,
5 including, but not limited to, developing, tracking,
6 and reporting on outcome-based measurements
7 to evaluate the program.

8 (c) Of the total provided, \$19,750,000 shall be used
9 for the Anti-Drug Abuse (ADA) Enforcement
10 Program to support multijurisdictional drug task
11 forces that combat street to mid-level drug sales,
12 manufacturing, and distribution at the local level.

13 (d) Of the total provided, \$10,000,000 shall be pro-
14 vided to the Judicial Council to create, in partner-
15 ship with the Department of Corrections and Re-
16 habilitation (DCR), reentry courts designed to
17 divert parole violators from prison through use
18 of collaborative courts that provide enhanced
19 supervision and services for inmates with mental
20 health and substance abuse problems. No more
21 than 5 percent of the \$10,000,000 provided may
22 be used by the Administrative Office of the Courts
23 or DCR for administration of this program.

24 (e) Of the total provided, \$4,500,000 shall be used
25 for the California Multijurisdictional Metham-
26 phetamine Enforcement Team (Cal-MMET) Pro-
27 gram to combat mid- to high-level metham-
28 phetamine manufacturing and drug trafficking
29 organizations.

30 (f) Of the total provided, \$3,750,000 shall be used
31 for human trafficking task forces for purposes of
32 increasing coordination among law enforcement
33 agencies, district attorneys, victim services
34 groups, and others to improve or increase training
35 in human trafficking cases and the investigation
36 and prosecution of those cases.

37 (g) Of the total provided, \$3,300,000 shall be used
38 for firearm trafficking programs designed to in-
39 crease coordination among state, federal, and
40 local law enforcement agencies for the purpose

of increasing antfirearms trafficking efforts in California's border region.

(h) Of the total provided, \$2,100,000 shall be used for Regional Anti-Gang Intelligence-Led Policing Programs designated to establish a statewide network of antigang coordinators among law enforcement agencies and community antigang efforts to support intelligence-led policing focused on gang violence.

(i) Of the total provided, \$1,500,000 shall be used for the Victim Information and Notification Everyday (VINE) program designed to improve victims' access to offender information.

(j) Of the total provided, \$150,000 shall be provided to the California District Attorneys Association to provide training for ADA Enforcement Program's multijurisdictional drug task forces.

(k) Applicants receiving funding shall have up to three years to expend the funds.

SEC. 68. Item 0690-301-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0690-301-0890—For capital outlay, California Emergency Management Agency, payable from the Federal Trust Fund..... 1,857,000

Schedule:

(1) 80.10.006-Southern Region Facility—Preliminary plans..... 1,857,000

Provisions:

1. Notwithstanding any other provision of law, the California Emergency Management Agency may negotiate a long-term lease with the United States Army Corps of Engineers for the Southern Region replacement facility. Prior to entering into any agreement or lease, the California Emergency Management Agency shall obtain the approval of the Department of Finance. Additionally, at least 30 days prior to entering into any agreement or lease, the California Emergency Management Agency shall notify the chairpersons of

the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the California Emergency Management Agency may proceed with the agreement after 30 days from when the California Emergency Management Agency gave notice to the chairpersons.

SEC. 69. Item 0820-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0820-001-0001—For support of Department of Justice.....	345,933,000
	<i>345,933,000</i>
Schedule:	
(1) 11.01-Directorate—Administration.....	95,254,000
	<i>95,487,000</i>
(2) 11.02-Distributed Directorate—Admin- istration.....	95,254,000
	<i>95,487,000</i>
(3) 20-Division of Legal Services.....	362,011,000
	<i>365,630,000</i>
(4) 50-Law Enforcement.....	253,387,000
	<i>255,808,000</i>
(5) 60-California Justice Information Ser- vices.....	165,875,000
(6) Reimbursements.....	40,005,000
(6.5) Unallocated Reduction.....	47,896,000
(7) Amount payable from the Attorney General Antitrust Account (Item 0820- 001-0012).....	1,342,000
(8) Amount payable from the Fingerprint Fees Account (Item 0820-001-0017)....	66,615,000
(9) Amount payable from the Firearm Safety Account (Item 0820-001- 0032).....	331,000
(10) Amount payable from the Motor Vehi- cle Account, State Transportation Fund (Item 0820-001-0044).....	23,834,000

1	(11) Amount payable from the Department	
2	of Justice Sexual Habitual Offender	
3	Fund (Item 0820-001-0142).....	-2,218,000
4	(12) Amount payable from the Travel Seller	
5	Fund (Item 0820-001-0158).....	-1,346,000
6	(13) Amount payable from the Restitution	
7	Fund (Item 0820-001-0214).....	-351,000
8	(14) Amount payable from the Sexual	
9	Predator Public Information Account	
10	(Item 0820-001-0256).....	-171,000
11	(15) Amount payable from the Indian	
12	Gaming Special Distribution Fund	
13	(Item 0820-001-0367).....	-14,080,000
14	(16) Amount payable from the False Claims	
15	Act Fund (Item 0820-001-0378).....	-10,090,000
16		-10,870,000
17	(17) Amount payable from the Dealers'	
18	Record of Sale Special Account (Item	
19	0820-001-0460).....	-9,907,000
20	(18) Amount payable from the Department	
21	of Justice Child Abuse Fund (Item	
22	0820-001-0566).....	-361,000
23	(19) Amount payable from the Gambling	
24	Control Fund (Item 0820-001-0567)....	-7,271,000
25	(20) Amount payable from the Gambling	
26	Control Fines and Penalties Account	
27	(Item 0820-001-0569).....	-45,000
28	(21) Amount payable from the Federal	
29	Trust Fund (Item 0820-001-0890).....	-37,914,000
30		-40,253,000
31	(22) Amount payable from the Federal Asset	
32	Forfeiture Account, Special Deposit	
33	Fund (Item 0820-001-0942).....	-1,551,000
34	(23) Amount payable from the State Asset	
35	Forfeiture Account, Special Deposit	
36	Fund (Item 0820-011-0942).....	-595,000
37	(24) Amount payable from the Firearms	
38	Safety and Enforcement Special Fund	
39	(Item 0820-001-1008).....	-3,252,000

1	(25) Amount payable from the Missing Per-	
2	sons DNA Data Base Fund (Item 0820-	
3	001-3016).....	-3,376,000
4	(26) Amount payable from the Public Rights	
5	Law Enforcement Special Fund (Item	
6	0820-001-3053).....	-5,615,000
7	(27) Amount payable from the Ratepayer	
8	Relief Fund (Item 0820-001-3061).....	-4,896,000
9	(28) Amount payable from the DNA Iden-	
10	tification Fund (Item 0820-001-	
11	3086).....	-29,267,000
12		-31,688,000
13	(29) Amount payable from the Unfair Com-	
14	petition Law Fund (Item 0820-001-	
15	3087).....	-3,247,000
16	(30) Amount payable from the Registry of	
17	Charitable Trusts Fund (Item 0820-001-	
18	3088).....	-2,830,000
19	(31) Amount payable from the Legal	
20	Services Revolving Fund (Item 0820-	
21	001-9731).....	-114,653,000
22	(31.5) Amount payable from the Foreclosure	
23	Consultant Regulation Fund (Item	
24	0820-001-3136).....	-500,000
25	(32) Amount payable from the Central Ser-	
26	vice Cost Recovery Fund (Item 0820-	
27	001-9740).....	-2,281,000
28	Provisions:	
29	1. The Attorney General shall submit to the Legislature,	
30	the Department Director of Finance, and the Governor	
31	the quarterly and annual reports that he or she submits	
32	to the federal government on the activities of the Medi-	
33	Cal Fraud Unit.	
34	2. Notwithstanding any other provision of law, the De-	
35	partment of Justice may purchase or lease vehicles of	
36	any type or class that, in the judgment of the Attorney	
37	General or his or her designee, are necessary to the	
38	performance of the investigatory and enforcement re-	
39	sponsibilities of the Department of Justice, from the	
40	funds appropriated for that purpose in this item.	

3. Of the amount included in Schedule (3), \$2,233,000 is available for costs related to the Lloyd's of London (Stringfellow) litigation. Any funds not expended for this specific purpose as of June 30, 2010, shall revert immediately to the General Fund.
4. Of the funds appropriated in this item, \$19,047,000 is available solely for the Correctional Law Section that handles only workload related to Department of Corrections and Rehabilitation cases.

SEC. 70. Item 0820-001-0378 of Section 2.00 of the Budget Act of 2009 is amended to read:

0820-001-0378—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the False Claims Act Fund.....	10,090,000
	10,870,000

SEC. 71. Item 0820-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0820-001-0890—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Federal Trust Fund.....	37,914,000
	40,253,000

SEC. 72. Item 0820-001-3086 of Section 2.00 of the Budget Act of 2009 is amended to read:

0820-001-3086—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the DNA Identification Fund.....	29,267,000
	31,688,000

SEC. 73. Item 0820-001-3136 is added to Section 2.00 of the Budget Act of 2009, to read:

0820-001-3136—For support of Department of Justice, for
payment to Item 0820-001-0001, payable from the Foreclo-
sure Consultant Regulation Fund..... 500,000

SEC. 74. Item 0820-011-0317 is added to Section 2.00 of the
Budget Act of 2009, to read:

0820-011-0317—For transfer by the Controller to the Foreclo-
sure Consultant Regulation Fund..... (500,000)

Provisions:

1. Notwithstanding any other provision of law, a loan of
\$500,000 is hereby authorized from the Real Estate
Fund to the Foreclosure Consultant Regulation Fund.
This loan shall be repaid with interest no later than
June 30, 2013.

SEC. 75. Item 0820-495 is added to Section 2.00 of the Budget
Act of 2008, to read:

0820-495—Reversion, Department of Justice. As of June 30,
2009, the balance specified below of the appropriation
provided in the following citation shall revert to the balance
in the fund from which the appropriation was made:

0001—General Fund

(1) Item 0820-001-0001, Budget Act of 2008
(Chs. 268 and 269, Stats. 2008)..... 40,000,000

SEC. 76. Item 0840-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:

0840-001-0001—For support of the Controller..... ~~51,268,000~~
59,414,000

Schedule:

(1) 100000-Personal Services..... ~~99,968,000~~
101,133,000

(2) 300000-Operating Expenses and
Equipment..... ~~54,556,000~~
76,340,000

(3) Reimbursements..... ~~-48,353,000~~
-50,209,000

1	(3.5) Amount payable from various special	
2	and nongovernmental cost funds	
3	(Section 25.25).....	-14,206,000
4	(4) Amount payable from the Motor Vehicle	
5	Fuel Account, Transportation Tax Fund	
6	(Item 0840-001-0061).....	-3,907,000
7		-3,817,000
8	(5) Amount payable from the Highway	
9	Users Tax Account, Transportation Tax	
10	Fund (Item 0840-001-0062).....	-1,115,000
11		-1,085,000
12	(6) Amount payable from the Local Rev-	
13	enue Fund (Item 0840-001-0330).....	-565,000
14		-549,000
15	(7) Amount payable from the Federal Trust	
16	Fund (Item 0840-001-0890).....	-766,000
17		-745,000
18	(8) Amount payable from the State Penalty	
19	Fund (Item 0840-001-0903).....	-1,254,000
20		-1,221,000
21	(9) Amount payable from the Unclaimed	
22	Property Fund (Item 0840-001-	
23	0970).....	-26,602,000
24		-25,882,000
25	(10) Amount payable from various other	
26	unallocated nongovernmental cost funds	
27	(Retail Sales Tax Fund) (Item 0840-	
28	001-0988).....	-228,000
29		-222,000
30	(11) Amount payable from the 2006 State	
31	School Facilities Fund (Item 0840-001-	
32	6057).....	-921,000
33		-896,000
34	(12) Amount payable from the Central	
35	Service Cost Recovery Fund (Item	
36	0840-001-9740).....	-17,984,000
37		-17,709,000
38	(13) Amount payable from other unallocated	
39	special funds (Item 0840-011-0494).....	-90,000
40		-88,000

1	(14) Amount payable from unallocated bond	
2	funds (Item 0840-011-0797).....	−594,000
3		−578,000
4	(15) Amount payable from various other	
5	unallocated nongovernmental cost funds	
6	(Item 0840-011-0988).....	−85,000
7		−82,000
8	(16) Amount payable from the Public	
9	Transportation Account, State Trans-	
10	portation Fund (Section 25.50).....	−17,000
11		−16,000
12	(17) Amount payable from the Highway	
13	Users Tax Account, Transportation Tax	
14	Fund (Section 25.50).....	−272,000
15		−265,000
16	(18) Amount payable from the Motor Vehi-	
17	cle License Fee Account, Transporta-	
18	tion Tax Fund (Section 25.50).....	−15,000
19	(19) Amount payable from the DMV Local	
20	Agency Collection Fund (Section	
21	25.50).....	−2,000
22	(20) Amount payable from the Trial Court	
23	Trust Fund (Section 25.50).....	−155,000
24		−151,000
25	(21) Amount payable from the Timber Tax	
26	Fund (Section 25.50).....	−1,000
27	(22) Amount payable from the Public Safety	
28	Account, Local Public Safety Fund	
29	(Section 25.50).....	−240,000
30		−233,000
31	(23) Amount payable from the Local Rev-	
32	enue Fund (Section 25.50).....	−90,000
33		−87,000
34	Provisions:	
35	1. The funding provided in Item 0840-001-0970 shall be	
36	in lieu of the appropriation in Section 1564 of the Code	
37	of Civil Procedure for all costs, expenses, or obliga-	
38	tions connected with the administration of the Un-	
39	claimed Property Law, with the exception of payment	
40	of owners' or holders' claims pursuant to Section 1540,	

1 1542, 1560, or 1561 of the Code of Civil Procedure,
2 or of payment of the costs of compensating contractors
3 for locating and recovering unclaimed property due
4 the state.

- 5 2. Of the claims received for reimbursement of court-
6 ordered or voluntary desegregation programs pursuant
7 to Article 6 (commencing with Section 41540) of
8 Chapter 3.2 of Part 24 of Division 3 of Title 2 of the
9 Education Code, the Controller shall pay only those
10 claims that have been subjected to audit by school
11 districts in accordance with the Controller's procedures
12 manual for conducting audits of education desegrega-
13 tion claims. Furthermore, the Controller shall pay only
14 those past-year actual claims for desegregation pro-
15 gram costs that are accompanied by all reports issued
16 by the auditing entity, unless the auditing entity was
17 the Controller.

- 18 3. The Controller may, with the concurrence of the Direc-
19 tor of Finance and the Chairperson of the Joint Legisla-
20 tive Budget Committee, bill affected state departments
21 for activities required by Section 20050 of the State
22 Administrative Manual, relating to the administration
23 of federal pass-through funds.

24 No billing may be sent to affected departments
25 sooner than 30 days after the Chairperson of the Joint
26 Legislative Budget Committee has been notified by
27 the Director of Finance that he or she concurs with the
28 amounts specified in the billings.

- 29 4. (a) Notwithstanding subdivision (b) of Section 1531
30 of the Code of Civil Procedure, the Controller
31 may publish notice in any manner that the Con-
32 troller determines reasonable, provided that (1)
33 none of the moneys used for this purpose is redi-
34 rected from funding for the Controller's audit ac-
35 tivities, (2) no photograph is used in the publica-
36 tion of notice, and (3) no elected official's name
37 is used in the publication of notice.
38 (b) No funds appropriated in this act may be expend-
39 ed by the Controller to provide general informa-
40 tion to the public, other than holders (as defined

in subdivision (e) of Section 1501 of the Code of Civil Procedure) of unclaimed property, concerning the unclaimed property program or possible existence of unclaimed property held by the Controller's office, except for informational announcements to the news media, through the exchange of information on electronic bulletin boards, or no more than \$50,000 per year to inform the public about this program in activities already organized by the Controller for other purposes. This restriction does not apply to sending individual notices to property owners (as required by the Code of Civil Procedure).

5. Of the moneys appropriated to the Controller in this act, the Controller shall not expend more than \$500,000 to conduct posteligibility fraud audits of the Supplemental Security Income/State Supplementary Payment Program.
6. The Commission on State Mandates shall provide, in applicable parameters and guidelines, as follows:
 - (a) If a local agency or school district contracts with an independent contractor for the preparation and submission of reimbursement claims, the costs reimbursable by the state for that purpose shall not exceed the lesser of (1) 10 percent of the amount of the claims prepared and submitted by the independent contractor, or (2) the actual costs that would necessarily have been incurred for that purpose if performed by employees of the local agency or school district.
 - (b) The maximum amount of reimbursement provided in subdivision (a) may be exceeded only if the local agency or school district establishes, by appropriate documentation, that the preparation and submission of these claims could not have been accomplished without incurring the additional costs claimed by the local agency or school district.
7. The funds appropriated to the Controller in this item may not be expended for any performance review or

1 performance audit except pursuant to specific statutory
2 authority. It is the intent of the Legislature that audits
3 conducted by the Controller, or under the direction of
4 the Controller, shall be fiscal audits that focus on
5 claims and disbursements, as provided for in Section
6 12410 of the Government Code. Any report, audit,
7 analysis, or evaluation issued by the Controller for the
8 2009–10 fiscal year shall cite the specific statutory or
9 constitutional provision authorizing the preparation
10 and release of the report, audit, analysis, or evaluation.

- 11 8. The Controller shall deliver his or her monthly report
12 on General Fund cash receipts and disbursements
13 within 10 days after the close of each month to the
14 Joint Legislative Budget Committee, the fiscal com-
15 mittees of the Legislature, the Department of Finance,
16 the Treasurer’s office, and the Legislative Analyst’s
17 Office.
- 18 9. For purposes of the review and payment of any claim
19 for reimbursement by local government submitted
20 pursuant to Section 54954.4 of the Government Code,
21 the Controller shall use the procedures that were in
22 effect at the time the claim was submitted.
- 23 10. Pursuant to subdivision (c) of Section 1564 of the Code
24 of Civil Procedure, the Controller shall transfer all
25 moneys in the Abandoned Property Account in excess
26 of \$50,000 to the General Fund no less frequently than
27 at the end of each month. This transfer shall include
28 unclaimed Proposition 103 insurance rebate moneys
29 pursuant to Section 1861.01 of the Insurance Code
30 and Section 1523 of the Code of Civil Procedure.
- 31 11. The Controller shall provide to the Department of Fi-
32 nance, the Chairperson of the Joint Legislative Budget
33 Committee, and the chairpersons of the fiscal commit-
34 tees of each house of the Legislature a report that
35 provides the following details by mandate: the level
36 of claims requested~~;~~, the amount reduced by the initial
37 desk audit~~;~~, the amount paid~~;~~, the amount recouped~~;~~,
38 and the results of a final audit and subsequent funding
39 adjustments. The report is due on June 30, 2010, and

- 1 will cover the fourth quarter of the 2008–09 fiscal year
- 2 and the first three quarters of the 2009–10 fiscal year.
- 3 12. To the extent authorized by existing law, the Controller
- 4 shall recoup the amount of any unallowable mandate
- 5 claim costs resulting from desk or field audits of such
- 6 claims.
- 7 13. The Controller’s estimate of the state’s liability for
- 8 postemployment benefits prepared to comply with
- 9 Governmental Accounting Standards Board (GASB)
- 10 Statement 45 shall include, in addition to all other
- 11 items required under the accounting statement: (a) an
- 12 identification and explanation of any significant differ-
- 13 ences in actuarial assumptions or methodology from
- 14 any relevant similar types of assumptions or method-
- 15 ology used by the Public Employees’ Retirement
- 16 System to estimate state pension obligations; and (b)
- 17 alternative calculations of the state’s liability for other
- 18 postemployment benefits using different long-term
- 19 rates of investment return consistent with a hypotheti-
- 20 cal assumption that the state will begin to deposit 100
- 21 percent or a lesser percent, respectively, of its annual
- 22 required contribution under GASB Statement 45 to a
- 23 retiree health and dental benefits trust fund beginning
- 24 in the 2007–08 fiscal year. This provision shall not
- 25 obligate the state to change the practice of funding
- 26 health and dental benefits for annuitants currently re-
- 27 quired under state law.
- 28 14. The funds appropriated to the Controller in this item
- 29 may not be expended on additional actuarial valua-
- 30 tions, beyond the annual actuarial valuation, for other
- 31 postemployment benefits, prior to obtaining concur-
- 32 rence in writing from the Department of Finance. The
- 33 additional actuarial valuations shall only be performed
- 34 to the extent resources exist, or if funds are provided
- 35 by the requesting agency.
- 36 15. The Controller shall provide the Chairperson of the
- 37 Joint Legislative Budget Committee and the chairper-
- 38 sons of the fiscal committees in each house of the
- 39 Legislature a report on the Human Resources Manage-
- 40 ment System specifying the dollars expended on the

1 program in the previous fiscal year and over the life
2 of the program and any known savings that have oc-
3 curred in the prior fiscal year, to be submitted annually
4 but no later than August 30 of each year. The report
5 should compare the known savings with the most re-
6 cent estimate of projected savings and explain the
7 methodology by which the savings were calculated.

- 8 16. The Controller shall deliver yearend financial data as
9 specified by the Department of Finance, for the fiscal
10 year just ended, in hard copy and electronic format,
11 by October 15 of each year and periodically as request-
12 ed by the Department of Finance. This information is
13 necessary for the Department of Finance to determine
14 the proper beginning balance of the current fiscal year
15 for budgetary purposes. To ensure timely completion
16 of the yearend financial data, the Controller should
17 enforce provisions in Section 12461.2 of the Govern-
18 ment Code and emphasize in its regulation the deadline
19 the yearend financial statements are due from the op-
20 erating departments to the Controller.

- 21 17. In the event new postage rates by the United States
22 Postal Service are adopted, but not in time for inclu-
23 sion in the 2009–10 May Revision, and the State
24 Controller’s Office notifies the Department of Finance
25 with ~~their~~ *its* estimates of the increased postage costs
26 within 15 calendar days of the adoption of new rates,
27 the Director of Finance may authorize expenditures
28 in excess of the amount appropriated in this item by
29 an amount necessary to fund the postage increase. This
30 authorization shall occur not less than 15 days after
31 the Department of Finance notifies the Chairperson
32 of the Joint Legislative Budget Committee.

- 33 18. The \$345,000 loaned to the Local Agency Self Insur-
34 ance Authority (LASIA), pursuant to Chapter 1327;
35 *of the Statutes of 1986*, will not be required to be re-
36 paid.

- 37 19. It is the intent of the Legislature that this item contain
38 zero funds for the purchase of modular furniture for
39 the previously approved Cannery Business Park Lease
40 Renewal/Expansion Project.

20. Notwithstanding the provisions of Items 9840-001-0001 to 9840-001-0988, inclusive, the Department of Finance may adjust the amounts authorized under Item 0840-001-0001 and Section 25.25 of this act, consistent with the funding schedule included in the most recently approved Special Project Report for the 21st Century Project. No adjustments shall be made pursuant to this provision prior to a 30-day notification in writing to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees of each house of the Legislature that consider appropriations.

SEC. 77. Item 0840-001-0061 of Section 2.00 of the Budget Act of 2009 is amended to read:

0840-001-0061—For support of the Controller, for payment to	
Item 0840-001-0001, payable from the Motor Vehicle	
Fuel Account, Transportation Tax Fund.....	3,907,000
	3,817,000

SEC. 78. Item 0840-001-0062 of Section 2.00 of the Budget Act of 2009 is amended to read:

0840-001-0062—For support of the Controller, for payment to	
Item 0840-001-0001, payable from the Highway Users	
Tax Account, Transportation Tax Fund.....	1,115,000
	1,085,000

SEC. 79. Item 0840-001-0330 of Section 2.00 of the Budget Act of 2009 is amended to read:

0840-001-0330—For support of the Controller, for payment to	
Item 0840-001-0001, payable from the Local Revenue	
Fund.....	565,000
	549,000

SEC. 80. Item 0840-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0840-001-0890—For support of the Controller, for payment to
 Item 0840-001-0001, payable from the Federal Trust
 Fund..... 766,000
 745,000

*SEC. 81. Item 0840-001-0903 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-0903—For support of the Controller, for payment to
 Item 0840-001-0001, payable from the State Penalty
 Fund..... 1,254,000
 1,221,000

*SEC. 82. Item 0840-001-0970 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-0970—For support of the Controller, for payment to
 Item 0840-001-0001, payable from the Unclaimed Property
 Fund..... 26,602,000
 25,882,000

*SEC. 83. Item 0840-001-0988 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-0988—For support of the Controller, for payment to
 Item 0840-001-0001, payable from various other unallo-
 cated nongovernmental cost funds (Retail Sales Tax
 Fund)..... 228,000
 222,000

*SEC. 84. Item 0840-001-6057 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-6057—For support of the Controller, for payment to
 Item 0840-001-0001, payable from the 2006 State School
 Facilities Fund..... 921,000
 896,000

*SEC. 85. Item 0840-001-9740 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-9740—For support of the Controller, for payment to	
Item 0840-001-0001, payable from the Central Service	
Cost Recovery Fund.....	17,984,000
	17,709,000

SEC. 86. Item 0840-011-0494 of Section 2.00 of the Budget Act of 2009 is amended to read:

0840-011-0494—For support of the Controller, for payment to	
Item 0840-001-0001, payable from other unallocated special funds.....	90,000
	88,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.

SEC. 87. Item 0840-011-0797 of Section 2.00 of the Budget Act of 2009 is amended to read:

0840-011-0797—For support of the Controller, for payment to	
Item 0840-001-0001, payable from unallocated bond funds.....	594,000
	578,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chair-

person of the joint committee, or his or her designee,
may in each instance determine.

*SEC. 88. Item 0840-011-0988 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

0840-011-0988—For support of the Controller, for payment to	
Item 0840-001-0001, payable from various other unallo-	
cated nongovernmental cost funds.....	85,000
	82,000

Provisions:

- Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.

*SEC. 89. Item 0855-111-0367 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

0855-111-0367—For transfer by the Controller, upon order of	
the Director of Finance, from the Indian Gaming Special	
Distribution Fund, to the Indian Gaming Revenue Sharing	
Trust Fund.....	(50,000,000)

Provisions:

- The amount of any transfer ordered by the Director of Finance pursuant to this item shall be the minimum amount necessary to allow the Indian Gaming Revenue Sharing Trust Fund to distribute the quarterly payments described in Section 12012.90 of the Government Code and meet its other expenditure requirements. Any remaining portion of the amount authorized to be transferred pursuant to this item shall remain in the Indian Gaming Special Distribution Fund.

2. The Legislature finds and declares that the amount authorized in this item is expected to be sufficient to allow the Indian Gaming Revenue Sharing Trust Fund to distribute the quarterly payments described in Section 12012.90 of the Government Code during the ~~2008–09~~ 2009–10 fiscal year. Accordingly, the California Gambling Control Commission, acting for this purpose as the state gaming agency under various tribal-state compacts, shall not direct any funds to the Indian Gaming Revenue Sharing Trust Fund pursuant to Section 4.3.1(*l*) of the amended tribal-state compacts with the Morongo Band of Mission Indians, the Pechanga Band of Luiseño Indians, *and* the San Manuel Band of Mission Indians, ~~and the Syuan Band of the Kumeyaay Nation~~ Section 4.3.1(*k*) of the tribal-state compact with the Shingle Springs Band of Miwok Indians, and similar sections of any compacts or amended compacts ratified by the Legislature ~~in the 2008–09 fiscal year.~~
3. The Chairperson of the California Gambling Control Commission shall immediately submit a report to the Director of Finance, the Chairperson of the Joint Legislative Budget Committee, and the Legislative Analyst if he or she determines that the Indian Gaming Revenue Sharing Trust Fund will not have sufficient funds to distribute the quarterly payments described in Section 12012.90 of the Government Code during the ~~2008–09~~ 2009–10 fiscal year after consideration of the funds authorized for transfer by this item. No earlier than 15 days after submission of that report, the California Gambling Control Commission may direct funds to the Indian Gaming Revenue Sharing Trust Fund, notwithstanding the requirements of Provision 2.

SEC. 90. Item 0860-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0860-001-0001—For support of State Board of Equalization....	245,549,000
	254,071,000

1	Schedule:	
2	(1) 100000-Personal Services.....	327,541,000
3		335,006,000
4	(2) 300000-Operating Expenses and	
5	Equipment.....	114,160,000
6		120,045,000
7	(3) Reimbursements.....	-135,652,000
8		-140,535,000
9	(4) Amount payable from the Breast Cancer	
10	Fund (Item 0860-001-0004).....	-662,000
11	(5) Amount payable from the State Emer-	
12	gency Telephone Number Account	
13	(Item 0860-001-0022).....	-1,459,000
14		-1,422,000
15	(6) Amount payable from the Motor Vehi-	
16	cle Fuel Account, Transportation Tax	
17	Fund (Item 0860-001-0061).....	-21,068,000
18		-21,066,000
19	(7) Amount payable from the Occupational	
20	Lead Poisoning Prevention Account	
21	(Item 0860-001-0070).....	-668,000
22	(8) Amount payable from the Childhood	
23	Lead Poisoning Prevention Fund (Item	
24	0860-001-0080).....	-479,000
25	(9) Amount payable from the Cigarette and	
26	Tobacco Products Surtax Fund (Item	
27	0860-001-0230).....	-8,385,000
28	(10) Amount payable from the Oil Spill	
29	Prevention and Administration Fund	
30	(Item 0860-001-0320).....	-230,000
31	(11) Amount payable from the Integrated	
32	Waste Management Account, Integrated	
33	Waste Management Fund (Item 0860-	
34	001-0387).....	-409,000
35	(12) Amount payable from the Underground	
36	Storage Tank Cleanup Fund (Item	
37	0860-001-0439).....	-3,133,000
38	(13) Amount payable from the Energy Re-	
39	sources Programs Account (Item 0860-	
40	001-0465).....	-256,000

1	(14) Amount payable from the California	
2	Children and Families First Trust Fund	
3	(Item 0860-001-0623).....	-14,523,000
4		-14,522,000
5	(15) Amount payable from the Federal Trust	
6	Fund (Item 0860-001-0890).....	-825,000
7	(16) Amount payable from the Timber Tax	
8	Fund (Item 0860-001-0965).....	-2,321,000
9	(17) Amount payable from the Gas Consump-	
10	tion Surcharge Fund (Item 0860-001-	
11	3015).....	-636,000
12		-621,000
13	(18) Amount payable from the Water Rights	
14	Fund (Item 0860-001-3058).....	-397,000
15	(19) Amount payable from the Electronic	
16	Waste Recovery and Recycling Account	
17	(Item 0860-001-3065).....	-4,401,000
18	(20) Amount payable from the Cigarette and	
19	Tobacco Products Compliance Fund	
20	(Item 0860-001-3067).....	-648,000
21	Provisions:	
22	1. It is the intent of the Legislature that all funds appro-	
23	riated to the State Board of Equalization for process-	
24	ing tax returns, auditing, and collecting owed tax	
25	amounts shall be used in a manner consistent with both	
26	its authorized budget and with the documents that were	
27	presented to the Legislature for its review in support	
28	of that budget. The State Board of Equalization shall	
29	not reduce expenditures or redirect either funding or	
30	personnel resources away from direct auditing or col-	
31	lection activities without prior approval of the Director	
32	of Finance. The director shall not approve any such	
33	reduction or redirection sooner than 30 days after	
34	providing notification to the Joint Legislative Budget	
35	Committee. No such position may be transferred from	
36	the organizational unit to which it was assigned in the	
37	2009–10 Governor’s Budget and the Salaries and	
38	Wages Supplement as revised by legislative actions	
39	without the approval of the Department Director of	
40	Finance. Furthermore, the board shall expeditiously	

1 fill budgeted positions consistent with the funding
2 provided in this act.

3
4 *SEC. 91. Item 0860-001-0022 of Section 2.00 of the Budget*
5 *Act of 2009 is amended to read:*

6
7 0860-001-0022—For support of State Board of Equalization,
8 for payment to Item 0860-001-0001, payable from the
9 State Emergency Telephone Number Account..... ~~1,459,000~~
10 *1,422,000*

11
12 *SEC. 92. Item 0860-001-0061 of Section 2.00 of the Budget*
13 *Act of 2009 is amended to read:*

14
15 0860-001-0061—For support of State Board of Equalization,
16 for payment to Item 0860-001-0001, payable from the
17 Motor Vehicle Fuel Account, Transportation Tax Fund..... ~~21,068,000~~
18 *21,066,000*

19
20 *SEC. 93. Item 0860-001-0623 of Section 2.00 of the Budget*
21 *Act of 2009 is amended to read:*

22
23 0860-001-0623—For support of State Board of Equalization,
24 for payment to Item 0860-001-0001, payable from the
25 California Children and Families Trust Fund..... ~~14,523,000~~
26 *14,522,000*

27
28 *SEC. 94. Item 0860-001-3015 of Section 2.00 of the Budget*
29 *Act of 2009 is amended to read:*

30
31 0860-001-3015—For support of State Board of Equalization,
32 for payment to Item 0860-001-0001, payable from the Gas
33 Consumption Surcharge Fund..... ~~636,000~~
34 *621,000*

35
36 *SEC. 95. Item 0911-001-0001 is added to Section 2.00 of the*
37 *Budget Act of 2009, to read:*

0911-001-0001—For support of the Citizens Redistricting Initiative..... 3,000,000

Provisions:

1. The funds appropriated in this item shall be available for a three-year period. The Director of Finance shall allocate the funds in this item among the Citizens Redistricting Commission, the Secretary of State, and the Bureau of State Audits. In order to receive an allocation of funds under this provision, the Bureau of State Audits shall submit a request with a detailed cost estimate to the Chairperson of the Joint Legislative Budget Committee and the Director of Finance. If the chairperson of the joint committee provides a written notification to the director that the requested allocation, or a lesser amount, is needed to carry out expenses of the Bureau of State Audits as set forth in the detailed cost estimate, the director shall make an allocation of funds as identified in the written notification.

SEC. 96. Item 0950-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0950-001-0001—For support of the Treasurer..... 4,538,000
4,964,000

Schedule:

- (1) 100000-Personal Services..... 20,382,000
- (2) 300000-Operating Expenses and Equipment..... 6,559,000
- (3) Reimbursements..... ~~-20,855,000~~
-20,235,000
- (5) Amount payable from the Central Service Cost Recovery Fund (Item 0950-001-9740)..... ~~-1,548,000~~
-1,742,000

Provisions:

1. The Director of Finance may authorize a loan from the General Fund, in an amount not to exceed the level of reimbursements appropriated in Schedule (3) to the Treasurer's office, provided that:

- (a) The loan is to meet cash needs resulting from a delay in receipt of reimbursements.
- (b) The loan is short term, and shall be repaid within two months.
- (c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.
- (d) The Director of Finance shall not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.
- (e) At the end of the two-month term of the loan, the Treasurer's office shall notify the Chairperson of the Joint Legislative Budget Committee whether the Treasurer's office has repaid the loan pursuant to subdivision (b).

SEC. 97. Item 0950-001-9740 of Section 2.00 of the Budget Act of 2009 is amended to read:

0950-001-9740—For support of the Treasurer, for payment to	
Item 0950-001-0001, payable from the Central Service	
Cost Recovery Fund.....	1,548,000
	1,742,000

SEC. 98. Item 0968-001-0457 of Section 2.00 of the Budget Act of 2009 is amended to read:

0968-001-0457—For support of California Tax Credit Allocation Committee, payable from the Tax Credit Allocation	
Fee Account.....	1,858,000
	2,358,000

Schedule:

(1) 10-California Tax Credit Allocation Committee.....	4,888,000
	2,388,000
(2) Reimbursements.....	-30,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Tax Credit Allocation Committee in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the *joint* committee, or his or her designee, may in each instance determine.

SEC. 99. Item 0968-101-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0968-101-0890—For local assistance, California Tax Credit Allocation Committee, payable from the Federal Trust Fund..... 517,000,000

SEC. 100. Item 0985-101-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0985-101-0890—For local assistance, California School Finance Authority, State Charter School Facilities Incentive Grant Program, payable from the Federal Trust Fund..... 3,000,000

Provisions:

1. No charter school receiving funds under the program authorized under this provision shall receive funding in excess of 75 percent of annual lease costs through this program or in combination with any other source of funding provided in this or any other act.

SEC. 101. Item 1100-011-0267 is added to Section 2.00 of the Budget Act of 2009, to read:

1100-011-0267—For transfer by the Controller from the Exposition Park Improvement Fund to the General Fund..... (2,771,000)

SEC. 102. Item 1111-002-0582 of Section 2.00 of the Budget Act of 2009 is amended to read:

1111-002-0582—For support of Bureau of Automotive Repair, Department of Consumer Affairs, payable from the High Polluter Repair or Removal Account..... ~~67,997,000~~
65,997,000

Schedule:

(1) 31.20.016-Vehicle Repair Assistance.... ~~17,034,000~~
19,009,000
(2) 31.20.030-Vehicle Retirement..... ~~37,989,000~~
34,014,000
(3) 31.20.040-Program Administration..... 12,974,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.
2. Notwithstanding Section 26.00, the Department of Finance may authorize transfers among and between Schedules (1) and (2). Any transfer made pursuant to this provision shall be reported in writing to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

SEC. 103. Item 1111-002-3122 is added to Section 2.00 of the Budget Act of 2009, to read:

1111-002-3122—For support of Bureau of Automotive Repair, Department of Consumer Affairs, payable from the Enhanced Fleet Modernization Subaccount in the High Polluter Removal and Repair Account..... 4,127,000

Schedule:

(1) 31.30.010-Off-Cycle Vehicle Retirement..... 3,300,000

(2) 31.30.030-Enhanced Program Adminis-
tration..... 827,000

Provisions:

1. Notwithstanding any other provision of law, upon re-
quest of the Department of Consumer Affairs, the De-
partment of Finance may augment the amount avail-
able for expenditure to pay for additional off-cycle
retirements. The augmentation may only be made no
sooner than 30 days after notification in writing to the
chairpersons of the committees in each house of the
Legislature that consider appropriations and the
Chairperson of the Joint Legislative Budget Commit-
tee, or no sooner than whatever lesser time the chair-
person of the joint committee may in each instance
determine. The amount of funds augmented shall be
consistent with actual program participation and
available revenues in the Enhanced Fleet Moderniza-
tion Account.

SEC. 104. Item 1730-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:

1730-001-0001—For support of Franchise Tax Board..... 517,020,000
518,038,000

Schedule:

(1) 10-Tax Programs..... 512,084,000
517,921,000
(2) 20-Homeowners and Renters Assis-
tance..... 6,469,000
1,650,000
(3) 30-Political Reform Audit
(1,597,000)..... 0
(4) 50-DMV Collections..... 8,381,000
(5) 60-Court Collections..... 12,141,000
(6) 70-Contract Work..... 14,211,000
(7) 80.01-Administration..... 28,846,000
(8) 80.02-Distributed Administration..... -28,846,000
(9) Reimbursements..... -15,209,000

1	(10) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 1730-001-0044).....	-2,913,000
2		
3	(11) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 1730-001-0064)....	-5,468,000
4		
5	(12) Amount payable from the Emergency Food Assistance Program Fund (Item 1730-001-0122).....	-6,000
6		
7	(13) Amount payable from the Delinquent Tax Collection Fund (Section 19378 of the Revenue and Taxation Code).....	-404,000
8		
9	(14) Amount payable from the Fish and Game Preservation Fund (Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account) (Item 1730-001-0200).....	-13,000
10		
11	(15) Amount payable from the Court Collection Account (Item 1730-001-0242).....	-12,141,000
12		
13	(16) Amount payable from the State Children's Trust Fund (Item 1730-001-0803).....	-11,000
14		
15	(17) Amount payable from the California Alzheimer's Disease and Related Disorders Research Fund (Item 1730-001-0823).....	-11,000
16		
17	(18) Amount payable from the California Seniors Special Fund (Item 1730-001-0886).....	-4,000
18		
19	(19) Amount payable from the California Breast Cancer Research Fund (Item 1730-001-0945).....	-7,000
20		
21	(20) Amount payable from the California Peace Officer Memorial Foundation Fund (Item 1730-001-0974).....	-5,000
22		
23	(21) Amount payable from the California Firefighters' Memorial Fund (Item 1730-001-0979).....	-7,000
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		

1	(22) Amount payable from the California	
2	Fund for Senior Citizens (Item 1730-	
3	001-0983).....	-7,000
4	(23) Amount payable from the California	
5	Military Family Relief Fund (Item	
6	1730-001-8022).....	-6,000
7	(24) Amount payable from the California	
8	Prostate Cancer Research Fund (Item	
9	1730-001-8025).....	-6,000
10	(25) Amount payable from the California	
11	Sexual Violence Victim Services Fund	
12	(Item 1730-001-8035).....	-6,000
13	(26) Amount payable from the California	
14	Colorectal Cancer Prevention Fund	
15	(Item 1730-001-8036).....	-6,000
16	(27) Amount payable from the Veterans'	
17	Quality of Life Fund (Item 1730-001-	
18	8037).....	-6,000
19	(28) Amount payable from the California	
20	Sea Otter Fund (Item 1730-001-	
21	8047).....	-6,000
22	(29) Amount payable from the ALS/Lou	
23	Gehrig's Disease Research Fund (Item	
24	1730-001-8053).....	-6,000
25	(30) Amount payable from the California	
26	Cancer Research Fund (Item 1730-001-	
27	8054).....	-6,000
28	(31) Amount payable from the Municipal	
29	Shelter Spay-Neuter Fund (Item 1730-	
30	001-8055).....	-6,000
31	(32) Amount payable from the California	
32	Ovarian Cancer Research Fund (Item	
33	1730-001-8056).....	-6,000
34	Provisions:	
35	1. It is the intent of the Legislature that all funds appro-	
36	riated to the Franchise Tax Board for processing tax	
37	returns, auditing, and collecting owed tax amounts	
38	shall be used in a manner consistent with both its au-	
39	thorized budget and with the documents that were	
40	presented to the Legislature for its review in support	

1 of that budget. The Franchise Tax Board shall not re-
2 duce expenditures or redirect either funding or person-
3 nel resources away from direct auditing or collection
4 activities without prior approval of the Director of Fi-
5 nance. The director shall not approve any such reduc-
6 tion or redirection sooner than 30 days after providing
7 notification to the Joint Legislative Budget Committee.
8 No such position may be transferred from the organi-
9 zational unit to which it was assigned in the 2009–10
10 Governor’s Budget and the Salaries and Wages Sup-
11 plement as revised by legislative actions without the
12 approval of the Department of Finance. Furthermore,
13 the board shall expeditiously fill budgeted positions
14 consistent with the funding provided in this act.

- 15 2. It is the intent of the Legislature that the Franchise
16 Tax Board resolve tax controversies, without litigation,
17 on a basis that is fair to both the state and the taxpayer
18 and in a manner that will enhance voluntary compli-
19 ance and public confidence in the integrity and effi-
20 ciency of the board.
- 21 3. During the 2009–10 fiscal year, the collection cost
22 recovery fee for purposes of subparagraph (A) of
23 paragraph (1) of subdivision (a) of Section 19254 of
24 the Revenue and Taxation Code shall be \$217, and
25 the filing enforcement cost recovery fee for purposes
26 of subparagraph (A) of paragraph (2) of that subdivi-
27 sion shall be \$113.
- 28 4. During the 2009–10 fiscal year, the collection cost
29 recovery fee for purposes of subparagraph (B) of
30 paragraph (1) of subdivision (a) of Section 19254 of
31 the Revenue and Taxation Code shall be \$413, and
32 the filing enforcement cost recovery fee for purposes
33 of subparagraph (B) of paragraph (2) of that subdivi-
34 sion shall be \$188.
- 35 5. Notwithstanding subdivision (b) of Section 19282 of
36 the Revenue and Taxation Code, the combined costs
37 to administer the Court-Ordered Debt Collection Pro-
38 gram and to fund the Court-Ordered Debt Expansion
39 Project may be funded from the Court Collection Ac-

count in an amount that may exceed 15 percent of annual collections.

6. *The Franchise Tax Board (FTB) shall submit a written report to the Joint Legislative Budget Committee, the Assembly Committee on Budget, the Senate Committee on Budget and Fiscal Review, and the revenue and taxation policy committees of both houses of the Legislature on the Enterprise Data to Revenue (EDR) project within 21 days of the following circumstances:*

(a) *The project scope has changed and results in a 10-percent or more variance to schedule, cost, or revenue generation when compared to the most recent project document approved by the Office of the State Chief Information Officer (OSCIO). This includes, but is not limited to, any cumulative changes in system functionality and deployment plans that would trigger a special project report (SPR).*

(b) *The project schedule has changed by 10 percent or more when compared to the most recent OSCIO-approved project document. This includes, but is not limited to, any cumulative changes in milestones or deliverables that would trigger an SPR.*

(c) *The project costs has changed by 10 percent or more when compared to the most recent OSCIO-approved project document stating the total cost of system development. This includes, but is not limited to, any cumulative changes in contract, hardware/software, and staff expenses that would trigger an SPR.*

(d) *The realized revenues generated for a given fiscal year by the developed EDR system (net of revenues generated by addressing FTB's backlog issue) vary by 10 percent or more above or below projected revenues in the most recent OSCIO-approved project document.*

Any report issued pursuant to this provision shall include a brief summary of the factors behind scope, schedule, cost or revenue changes and the steps FTB

plans to take to address those issues, and the most recent Status Report on file at the OSCIO.

SEC. 105. Item 1760-001-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1760-001-0001—For support of Department of General Services;
for payment to Item 1760-001-0666..... 6,583,000
Provisions:
1. The amount appropriated in this item is for State
Capitol maintenance and repairs.~~

SEC. 106. Item 1760-001-0022 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1760-001-0022—For support of Department of General Services;
for payment to Item 1760-001-0666, payable from the State
Emergency Telephone Number Account..... 2,269,000~~

SEC. 107. Item 1760-001-0666 of Section 2.00 of the Budget Act of 2009 is amended to read:

1760-001-0666—For support of Department of General Services, payable from the Service Revolving Fund..... 513,652,000
439,884,000

Schedule:

(1) Program support.....	1,112,462,000
	1,107,083,000
(2) Distributed services.....	-11,145,000
(2.5) Reimbursements.....	-77,241,000
(3) Reimbursements—Lease revenue.....	-12,276,000
(4) Reimbursements—FI\$Cal.....	-4,143,000
(5) Amount payable from the General Fund (Item 1760-001-0001).....	-6,583,000
(6) Amount payable from the General Fund (Item 1760-002-0001).....	-347,000
(7) Amount payable from the Property Acquisition Law Money Account (Item 1760-001-0002).....	-3,276,000

1	(8) Amount payable from the Motor Vehicle	
2	Parking Facilities Moneys Account	
3	(Item 1760-001-0003).....	-2,328,000
4	(9) Amount payable from the State Emer-	
5	gency Telephone Number Account	
6	(Item 1760-001-0022).....	-2,269,000
7	(10) Amount payable from the State Motor	
8	Vehicle Insurance Account (Item 1760-	
9	001-0026).....	-4,917,000
10	(11) Amount payable from the Energy Re-	
11	sources Programs Account (Item 1760-	
12	001-0465).....	-1,699,000
13	(12) Amount payable from the Architecture	
14	Revolving Fund (Item 1760-001-	
15	0602).....	-43,676,000
16	(13) Amount payable from the State School	
17	Building Aid Fund (Item 1760-001-	
18	0739).....	-300,000
19	(14) Amount payable from the State School	
20	Deferred Maintenance Fund (Item	
21	1760-001-0961).....	-160,000
22	(15) Amount payable from the Building	
23	Standards Administration Special Re-	
24	volving Fund (Item 1760-001-3144)....	-278,000
25	(16) Amount payable from the 2006 State	
26	School Facilities Fund (Item 1760-	
27	001-6057).....	-15,118,000
28	(17) Amount payable from the Motor Vehi-	
29	cle Parking Facilities Moneys Account	
30	(Item 1760-002-0003).....	-1,085,000
31	(18) Amount payable from the Service	
32	Revolving Fund (Item 1760-002-	
33	0666).....	-150,741,000
34	(19) Amount payable from the Service Re-	
35	volving Fund (Item 1760-003-	
36	0666).....	-14,490,000
37	(20) Amount payable from the Service	
38	Revolving Fund (Item 1760-004-	
39	0666).....	-323,979,000

Provisions:

1. Notwithstanding any other provision of law, revenues from the sale of legislative bills and publications received by the Legislative Bill Room shall be deposited in the Service Revolving Fund.
2. Notwithstanding any other provision of law, if the Director of General Services determines in writing that there is insufficient cash in a special fund under his or her authority to make one or more payments currently due and payable, he or she may order the transfer of moneys to that special fund in the amount necessary to make payment or payments, as a loan from the Service Revolving Fund. That loan shall be subject to all of the following conditions:
 - (a) No loan shall be made that would interfere with carrying out the object for which the Service Revolving Fund was created.
 - (b) The loan shall be repaid as soon as there are sufficient moneys in the recipient fund to repay the amount loaned, but no later than 18 months after the date of the loan. The amount loaned shall not exceed the amount that the fund or program is authorized at the time of the loan to expend during the 2009–10 fiscal year from the recipient fund except as otherwise provided in Provisions 4, 5, and 6.
 - (c) The terms and conditions of the loan are approved, prior to the transfer of funds, by the Department of Finance pursuant to appropriate fiscal standards.
3. The Director of General Services may augment this item or any of Items 1760-001-0002, 1760-001-0003, 1760-001-0026, and 1760-001-0602, by up to an aggregate of 10 percent in cases where (a) the Legislature has approved funds for a customer for the purchase of services or equipment through the Department of General Services (DGS) and the corresponding expenditure authority has not been provided in this item or (b) a local government entity or the federal government has requested services from the DGS. Any augmenta-

tion that is deemed to be necessary on a permanent basis shall be submitted for review as part of the normal budget development process. If the Director of General Services augments this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0026, or 1760-001-0602, the DGS shall notify the Department of Finance within 30 days after that augmentation is made as to the amount, justification, and the program augmented. Any augmentation made in accordance with this provision shall not result in an increase in any rate charged to other departments for services or the purchase of goods without the prior written consent of the Department of Finance. The Director of General Services shall not use this provision to augment this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0026, or 1760-001-0602 for costs that the Department of General Services had knowledge of in time to include in the May Revision.

4. If this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0026, or 1760-001-0602 is augmented pursuant to Provision 3 by the maximum allowed under that provision, the Director of Finance may further augment the item or items in cases where (a) the Legislature has approved funds for a customer for the purchase of services or equipment through the Department of General Services (DGS) and the corresponding expenditure authority has not been provided in these items, or (b) a local government entity or the federal government has requested services from the DGS. Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as part of the normal budget development process. The Director of Finance shall not use this provision to augment this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0026, or 1760-001-0602 for costs of which the Departments of Finance or General Services had knowledge in time to include in the May Revision.
5. The Director of General Services may augment this item and Items 1760-001-0003 and 1760-001-0026 to increase authorized expenditures by the Office of State

1 Publishing, the Office of Risk and Insurance Manage-
2 ment, the Office of Fleet Administration, and the Of-
3 fice of Public Safety Radio Services. The augmentation
4 shall be for the specific purpose of enabling the Office
5 of State Publishing, the Office of Risk and Insurance
6 Management, the Office of Fleet Administration, and
7 the Office of Public Safety Radio Services to provide
8 competitive services to their customers (including local
9 government entities or the federal government) and
10 may be made only if the office has sufficient operating
11 reserves available to fund the augmentation. If the
12 Director of General Services proposes to augment any
13 of the items in this provision, the director shall notify
14 the Department of Finance, the chairpersons of the
15 fiscal committees of each house of the Legislature,
16 and the Chairperson of the Joint Legislative Budget
17 Committee 30 days prior to making the augmentation,
18 including the amount, justification, and the office
19 augmented. Any augmentation that is deemed to be
20 necessary on a permanent basis shall be submitted for
21 review as part of the normal budget development
22 process.

- 23 6. Any augmentation made pursuant to Provisions 3 and
24 4 shall be reported in writing to the chairpersons of
25 the fiscal committees of each house of the Legislature
26 and the Chairperson of the Joint Legislative Budget
27 Committee within 30 days of the date the augmentation
28 is approved. This notification shall be provided in a
29 format consistent with normal budget change requests,
30 including identification of the amount of, and justifi-
31 cation for, the augmentation, and the program that has
32 been augmented. Copies of the notification shall be
33 provided to the Department of Finance.
- 34 7. Notwithstanding any other provision of law, the Direc-
35 tor of General Services or his or her designee, in lieu
36 of the Director of Finance, is authorized to approve
37 Budget Revision, Standard Form 26, subject to a copy
38 being provided to the Department of Finance.
- 39 8. Notwithstanding any other provision of law, due to
40 the inability to issue energy efficiency revenue bonds

1 pursuant to Chapter 2.7 (commencing with Section
2 15814.10) of Part 10b of Division 3 of Title 2 of the
3 Government Code, in order to repay the General Fund
4 for the cost of completing energy efficiency projects
5 on specified buildings, the Department of General
6 Services shall, within 10 fiscal years, recover an
7 amount sufficient to repay the costs associated with
8 completed energy efficiency projects plus 5-percent
9 interest, through utility rates charged to tenants. On
10 August 1 of each fiscal year beginning with the
11 2005–06 fiscal year, the Department of General Ser-
12 vices shall transfer that amount to the General Fund.
13 Once the General Fund has been fully repaid, the De-
14 partment of General Services shall adjust utility rates
15 for all tenants to accurately reflect the current rates.

- 16 9. The Director of Finance is authorized to increase this
17 item for purposes of funding tenant improvement
18 projects to facilitate the backfill of vacant space within
19 stand-alone Department of General Services (DGS)
20 bond-funded office buildings. This provision shall
21 only be used to augment expenditure authority for
22 DGS stand-alone individual rate office buildings where
23 a \$.03 tenant improvement surcharge has been ap-
24 proved by the Department of Finance and is included
25 in the monthly rental rate. Department of Finance ap-
26 proval is contingent upon justification for the proposed
27 tenant improvement projects to be provided by the
28 DGS including an analysis of cost impacts and how
29 the tenant improvements will improve the state’s uti-
30 lization of the facility. Any augmentation made in ac-
31 cordance with this provision shall not result in an in-
32 crease in any rate charged to other departments for
33 services without the prior written consent of the De-
34 partment of Finance. Any augmentation made pursuant
35 to this provision may be authorized not sooner than
36 30 days after notification in writing to the chairpersons
37 of the fiscal committees of each house of the Legisla-
38 ture and the Chairperson of the Joint Legislative
39 Budget Committee.

10. Notwithstanding any other provision of law, funds appropriated in this item may be transferred to Item 0502-001-0001 if the Director of Finance determines the transfer to be necessary to carry out Governor's Reorganization Plan No. 1 of 2009. These transfers may be made upon the order of the Director of Finance not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.

SEC. 108. Item 1760-101-0022 of Section 2.00 of the Budget Act of 2009 is amended to read:

1760-101-0022—For local assistance, Department of General Services, for reimbursement of local agencies and service suppliers or communications equipment companies for costs incurred pursuant to Sections 41137, 41137.1, 41138, and 41140 of the Revenue and Taxation Code, payable from the State Emergency Telephone Number Account.... ~~120,604,000~~

0

Schedule:

(1) 911 Emergency Telephone Number System..... 104,523,000
 (2) Enhanced Wireless Services..... 16,081,000
 (3) Reimbursement..... -120,604,000

SEC. 109. Item 1760-301-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1760-301-0001—For capital outlay, Department of General Services.....~~

0

~~Schedule:~~

~~(2) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 95,000~~

(3) Reimbursements..... -95,000
 Provisions:
 1. Notwithstanding any other provision of law, the funds appropriated in Schedule (2) shall be reimbursed from the Department of Water Resources.

SEC. 110. Item 1760-301-0042 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1760-301-0042—For capital outlay, Department of General Services, payable from the State Highway Account, State Transportation Fund..... 555,000~~
 Schedule:
 (1) ~~50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 555,000~~

SEC. 111. Item 1760-301-0044 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1760-301-0044—For capital outlay, Department of General Services, payable from the Motor Vehicle Account, State Transportation Fund..... 1,406,000~~
 Schedule:
 (1) ~~50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 1,406,000~~

SEC. 112. Item 1760-301-0200 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1760-301-0200—For capital outlay, Department of General Services, payable from the Fish and Game Preservation Fund..... 126,000~~
 Schedule:
 (1) ~~50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 126,000~~

1 *SEC. 113. Item 1760-301-0768 of Section 2.00 of the Budget*
 2 *Act of 2009 is repealed.*

3
 4 ~~1760-301-0768—For capital outlay, Department of General~~
 5 ~~Services, payable from the Earthquake Safety and Public~~
 6 ~~Buildings Rehabilitation Fund of 1990..... 4,065,000~~
 7 ~~Schedule:~~
 8 ~~(0.5) 50.10.250-Sacramento Public Safety~~
 9 ~~Communications—Decentralization,~~
 10 ~~Resources—Working drawings..... 1,028,000~~
 11 ~~(1) 50.99.428-Department of Corrections~~
 12 ~~and Rehabilitation, California Institute~~
 13 ~~for Women at Frontera, Corona Walker~~
 14 ~~Clinic and Infirmary, Structural Retro-~~
 15 ~~fit—Construction..... 3,037,000~~

16
 17 *SEC. 114. Item 1760-490 is added to Section 2.00 of the Budget*
 18 *Act of 2009, to read:*

19
 20 *1760-490—Reappropriation, Department of General Services.*
 21 *The balances of the appropriations provided in the follow-*
 22 *ing citations are reappropriated for the purposes and*
 23 *subject to the limitations, unless otherwise specified, pro-*
 24 *vided for in the following appropriations:*
 25 *0660—Public Buildings Construction Fund*
 26 *(1) Item 1760-301-0660, Budget Act of 2005 (Chs. 38 and*
 27 *39, Stats. 2005), as reappropriated by Item 1760-490,*
 28 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
 29 *(1) 50.10.151-Library and Courts Renovation—*
 30 *Construction*
 31 *(2) Item 1760-301-0660, Budget Act of 2008 (Chs. 268*
 32 *and 269, Stats. 2008)*
 33 *(1) 50.10.15-Library and Courts Building Renova-*
 34 *tion—Construction*
 35 *0768—Earthquake Safety and Public Buildings Rehabilita-*
 36 *tion Fund of 1990*
 37 *(1) Item 1760-301-0768, Budget Act of 2006 (Chs. 47 and*
 38 *48, Stats. 2006)*

- (2) 50.99.091-Department of Corrections and Rehabilitation, DVI, Tracy, Hospital Building: Structural Retrofit—Construction
- (2) Item 1760-301-0768, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
- (2.5) 50.99.09-California Department of Corrections and Rehabilitation, DVI, Tracy, Hospital Building: Structural Retrofit—Construction

SEC. 115. Item 1870-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1870-001-0001—For support of California Victim Compensation and Government Claims Board.....	0
Schedule:	
(1) 11-Citizens Indemnification.....	26,923,000
	27,328,000
(2) 12-Quality Assurance and Revenue Recovery Division.....	9,418,000
(3) 31-Civil Claims Against the State.....	1,410,000
(4) 51.01-Administration.....	10,566,000
(5) 51.02-Distributed Administration.....	-10,566,000
(6) Reimbursements.....	-1,410,000
(7) Amount payable from the Restitution Fund (Item 1870-001-0214).....	-34,728,000
(8) Amount payable from the Federal Trust Fund (Item 1870-001-0890).....	-1,613,000
	-2,018,000

Provisions:

1. The California Victim Compensation and Government Claims Board shall not routinely notify all local agencies and school districts regarding its proceedings. However, for each of its meetings, the board shall notify all parties whose claims or proposals are scheduled for consideration and any party requesting notice of the proceedings.

SEC. 116. Item 1870-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

1870-001-0890—For support of California Victim Compensation and Government Claims Board, for payment to Item 1870-001-0001, payable from the Federal Trust Fund..... ~~1,613,000~~
2,018,000

SEC. 117. Item 1870-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

1870-101-0890—For local assistance, California Victim Compensation and Government Claims Board, for Program 11-Citizens Indemnification, payable from the Federal Trust Fund..... ~~30,650,000~~
38,355,000

SEC. 118. Item 1880-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1880-001-0001—For support of State Personnel Board..... 3,107,000

Schedule:

(1) 10-Merit System Administration..... ~~22,349,000~~
22,856,000

(2) 40-Local Government Services..... 2,973,000

(3) 50.01-Administration Services..... 3,296,000

(4) 50.02-Distributed Administration Services..... -1,976,000

(5) Reimbursements..... ~~-21,409,000~~
-21,916,000

(6) Amount payable from the Central Service Cost Recovery Fund (Item 1880-001-9740)..... -2,126,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize a loan from the General Fund, in an amount not to exceed 35 percent of reimbursements appropriated in this item to the State Personnel Board, provided that:
 - (a) The loan is to meet cash needs resulting from the delay in receipt of reimbursements for services provided.

- (b) The loan is for a short term and shall be repaid by September 30, 2010.
- (c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.
- (d) The Director of Finance may not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time that the chairperson of the joint committee, or his or her designee, may determine.
2. The Department of General Services, with the consent of the Department of Personnel Administration and the State Personnel Board, may enter into a lease, lease-purchase agreement, or lease with an option to purchase for a build-to-suit facility for the ~~co-location~~ *colocation* of the Department of Personnel Administration and the State Personnel Board in the Sacramento area, subject to Department of Finance approval of the terms and conditions of the agreement. At least 30 days prior to entering into any agreement, the Department of General Services shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the Department of General Services may proceed with the agreement after 30 days from when the Department of General Services gave notice to the chairpersons.

SEC. 119. Item 1900-015-0815 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0815—For support of Board of Administration of
the Public Employees' Retirement System, payable from
the Judges' Retirement Fund..... (1,134,000)
(1,101,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of each house of the Legislature, all of the following:
 - (a) Not later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.
 - (b) The revisions to the proposed budget for PERS for the 2009–10 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to the consideration of those revisions by the Board of Administration.
 - (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of ~~Public Employees' Retirement System~~ PERS expenditures.

SEC. 120. Item 1900-015-0820 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0820—For support of Board of Administration of
the Public Employees' Retirement System, payable from
the Legislators' Retirement Fund..... (454,000)
(369,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of each house of the Legislature all of the following:
 - (a) Not later than May 15, 2010, a copy of the proposed budget for the Public Employees' Retirement System for the 2010–11 fiscal year as approved by the Board of Administration.
 - (b) The revisions to the proposed budget for the Public Employees' Retirement System for the 2009–10 fiscal year, as recommended by the Public Employees' Retirement System Finance Committee, at least 30 days prior to consideration of those revisions by the Board of Administration.
 - (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees' Retirement System.

SEC. 121. Item 1900-015-0822 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0822—For support of the Board of Administration of the Public Employees' Retirement System, payable from the Public Employees' Health Care Fund.....	(17,601,000)
	(13,693,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement

System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature all of the following:

- (a) No later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.
 - (b) The revisions to the proposed budget for PERS for the 2009–10 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to the consideration of those revisions by the Board of Administration.
 - (c) Commencing October 1, 2009, all expenditures and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and fiscal committees of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of Public Employees' Retirement System expenditures.
2. The Legislature finds and declares that the Public Employees' Retirement System (PERS) is accountable to members, governmental entities, and taxpayers with respect to the annual health premium increases that its board of administration adopts. The Board of Administration is encouraged to use the means at its disposal under law, consistent with requirements to provide benefits to public employees and others, to achieve low annual premium increases. To facilitate legislative oversight, the Board of Administration shall submit an annual report within 100 days of its adoption of annual health premium increases or decreases that describes the methods it employed to moderate annual increases in premiums when taking that action. In years when the Board of Administration adopts health premium increases in excess of those assumed in the most recent state retiree health program actuarial valuation,

the report shall include a discussion of actions that the Board of Administration plans to take, if any, to attempt to reduce the rate of annual premium growth to levels below those assumed in this valuation for the next three years. This reporting requirement applies to the Board of Administration's action in 2009 to adopt premium rates for 2010 and all Board of Administration actions to increase or decrease annual health premiums adopted thereafter. This reporting requirement does not obligate the Board of Administration to adopt any specific level of premium for any given year or to change any action it otherwise determines is necessary under state law. The Board of Administration may state in the report that it is unable to commit to specific actions to reduce the rate of health premium growth or does not know if future reductions in the rate of health premium growth can be achieved. PERS is requested to complete these reports with existing budgetary and staffing resources. The report shall be submitted to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the committees and subcommittees in each house of the Legislature that consider PERS' budget and activities, the Controller, the Director of Finance, and the Legislative Analyst.

SEC. 122. Item 1900-015-0830 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0830—For support of Board of Administration of the Public Employees' Retirement System, payable from the Public Employees' Retirement Fund.....	(275,085,000)
	(275,755,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Leg-

islative Budget Committee, and the fiscal committees of the Legislature, all of the following:

- (a) No later than May 15, 2010, a copy of the proposed budget for the Public Employees' Retirement System for the 2010–11 fiscal year as approved by the Board of Administration.
 - (b) The revisions to the proposed budget for the Public Employees' Retirement System for the 2009–10 fiscal year, as recommended by the Public Employees' Retirement System Finance Committee, at least 30 days prior to consideration of those revisions by the Board of Administration.
 - (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees' Retirement System.
2. Commencing July 1, 2009, reports on information technology projects that are submitted to the Board of Administration of the Public Employees' Retirement System shall be submitted to the Joint Legislative Budget Committee, the fiscal committees of the Legislature, and the Department of Finance on an informational basis. The quarterly update information submitted to the Department of Finance shall be in sufficient detail to be useful for Department of Finance informational project status reporting purposes.

SEC. 123. Item 1900-015-0833 of Section 2.00 of the Budget Act of 2009 is amended to read:

<p>1900-015-0833—For support of Board of Administration of the Public Employees' Retirement System, payable from the Annuitants' Health Care Coverage Fund.....</p>	<p>(552,000) (773,000)</p>
---	--------------------------------

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of each house of the Legislature, all of the following:
 - (a) No later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.
 - (b) The revisions to the proposed budget for PERS for the 2009–10 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to consideration of those revisions by the Board of Administration.
 - (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the PERS expenditures.

SEC. 124. Item 1900-015-0884 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0884—For support of Board of Administration of the Public Employees' Retirement System, payable from the Judges' Retirement System II Fund.....	(685,000)
	(594,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit

to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of each house of the Legislature, all of the following:

- (a) No later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.
- (b) The revisions to the proposed budget for PERS for the 2009–10 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to the consideration of those revisions by the Board of Administration.
- (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of ~~Public Employees' Retirement System~~ *PERS* expenditures.

SEC. 125. Item 1955-001-9730 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1955-001-9730—For support of Department of Technology Services, payable from the Department of Technology Services Revolving Fund..... 239,283,000~~

~~Schedule:~~

- ~~(1) Administration of Technology Services..... 239,751,000~~
- ~~(2) Reimbursements..... -468,000~~

~~Provisions:~~

- ~~1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Department of Technology Services in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is pro-~~

vided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.

2. Expenditure authority provided in this item to support data center infrastructure projects may not be utilized for items outside the approved project scope. In addition, the Department of Technology Services shall report to the Office of the State Chief Information Officer actual expenditures associated with the projects when purchase agreements have been executed. Changes in project scope must receive approval using the established administrative and legislative reporting requirements.

SEC. 126. Item 2240-001-0648 of Section 2.00 of the Budget Act of 2009 is amended to read:

2240-001-0648—For support of Department of Housing and Community Development.....	17,398,000
Schedule:	
(1) 10-Codes and Standards Program.....	25,085,000
	25,326,000
(2) 20-Financial Assistance Program.....	23,666,000
	24,166,000
(3) 30-Housing Policy Development Program.....	3,258,000
(4) 50.01-Administration.....	11,929,000
(5) 50.02-Distributed Administration.....	-11,929,000
(6) 50.03-Distributed Administration of the Housing Policy Development Program.....	-136,000
(7) Reimbursements.....	-918,000
	-1,659,000
(8) Amount payable from the General Fund (Item 2240-001-0001).....	-3,788,000

1	(9) Amount payable from the Mobilehome	
2	Park <i>Parks and Special Occupancy</i>	
3	<i>Parks</i> Revolving Fund (Item 2240-001-	
4	0245).....	-6,422,000
5	(10) Amount payable from the Mobilehome	
6	Park Purchase Fund (Item 2240-001-	
7	0530).....	-601,000
8	(11) Amount payable from the Self-Help	
9	Housing Fund (Item 2240-001-0813)....	-128,000
10	(12) Amount payable from the Federal	
11	Trust Fund (Item 2240-001-0890).....	-11,291,000
12	(13) Amount payable from the Housing Re-	
13	habilitation Loan Fund (Item 2240-001-	
14	0929).....	-2,467,000
15	(14) Amount payable from the Rental	
16	Housing Construction Fund (Item 2240-	
17	001-0938).....	-977,000
18	(15) Amount payable from the Predevelop-	
19	ment Loan Fund (Item 2240-001-	
20	0980).....	-317,000
21	(16) Amount payable from the Emergency	
22	Housing and Assistance Fund (Item	
23	2240-001-0985).....	-473,000
24	(17) Amount payable from the Jobs-Housing	
25	Balance Improvement Account (Item	
26	2240-001-3006).....	-440,000
27	(18) Amount payable from the Building	
28	Standards- Administrative <i>Administrative</i>	
29	<i>tion Special</i> Revolving Fund (Item	
30	2240-001-3144).....	-280,000
31	(19) Amount payable from the Building Eq-	
32	uity and Growth in Neighborhoods	
33	Fund (Item 2240-001-6038).....	-329,000
34	(20) Amount payable from the Building Eq-	
35	uity and Growth in Neighborhoods	
36	Fund (Item 2240-002-6038).....	-1,039,000

1	(21) Amount payable from the Regional	
2	Planning, Housing, and Infill Incentive	
3	Account, Housing and Emergency	
4	Shelter Trust Fund of 2006 (Item 2240-	
5	001-6069).....	-2,555,000
6	(22) Amount payable from the Housing Ur-	
7	ban-Suburban-and-Rural Parks Ac-	
8	count, Housing and Emergency Shelter	
9	Trust Fund of 2006 (Item 2240-001-	
10	6071).....	-908,000
11	(23) Amount payable from the Transit-Ori-	
12	ented Development Implementation	
13	Fund (Item 2240-001-9736).....	-1,542,000
14	Provisions:	
15	1. Notwithstanding Section 18077 of the Health and	
16	Safety Code, or any other provision of law, the first	
17	\$2,388,000 in revenues collected by the Department	
18	of Housing and Community Development from man-	
19	ufactured home license fees shall be deposited in the	
20	Mobilehome-Manufactured Home Revolving Fund,	
21	and shall be available to the department for the sup-	
22	port, collection, administration, and enforcement of	
23	manufactured home license fees.	
24	2. Notwithstanding Section 18077.5 of the Health and	
25	Safety Code, or any other provision of law, the Depart-	
26	ment of Housing and Community Development is not	
27	required to comply with the reporting requirement of	
28	Section 18077.5 of the Health and Safety Code.	

29
30 *SEC. 127. Item 2240-101-0001 of Section 2.00 of the Budget*
31 *Act of 2009 is amended to read:*

32		
33	2240-101-0001—For local assistance, Department of Housing	
34	and Community Development.....	5,629,000
35	Schedule:	
36	(1) 20-Financial Assistance Program.....	172,386,000
37		227,505,000
38	(2) Amount payable from the Federal	
39	Trust Fund (Item 2240-101-0890).....	-166,757,000
40		-221,876,000

SEC. 128. *Item 2240-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:*

2240-101-0890—For local assistance, Department of Housing and Community Development, for payment to Item 2240-101-0001, payable from the Federal Trust Fund.....	166,757,000
	221,876,000

Provisions:

1. Notwithstanding any other provision of law, federal funds appropriated by this item but not encumbered or expended by June 30, 2010, may be expended in the subsequent fiscal year.
2. *Of the funds appropriated in this item, the Director of Finance may transfer up to \$1,600,000 to Item 2240-001-0890 for state operations costs of administration of federal housing stimulus funds.*

SEC. 129. *Item 2240-490 is added to Section 2.00 of the Budget Act of 2009, to read:*

2240-490—*Reappropriation, Department of Housing and Community Development. The balances of the appropriations provided in the citations below are reappropriated for the purposes provided in those appropriations and shall be available for encumbrance until June 30, 2010. Notwithstanding any other provision of law, the period to liquidate the encumbrances set forth below is extended to June 30, 2014.*

6038—*Building Equity and Growth in Neighborhoods (BEGIN) Fund*

(1) *Item 2240-102-6038, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

6069—*Regional Planning, Housing, and Infill Incentive Account, Housing and Emergency Shelter Trust Fund of 2006*

(1) *Item 2240-101-6069, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

9736—*Transit-Oriented Development Implementation Fund*

(1) 2240-101-9736, *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

SEC. 130. Item 2320-001-0317 of Section 2.00 of the Budget Act of 2009 is amended to read:

2320-001-0317—For support of Department of Real Estate,
payable from the Real Estate Fund..... ~~44,906,000~~
43,906,000

Schedule:

(1) 10-Licensing and Education.....	9,532,000
	9,312,000
(2) 20-Enforcement and Recovery.....	28,577,000
	27,977,000
(3) 30-Subdivisions.....	7,139,000
	6,959,000
(4) 40.10-Administration.....	8,498,000
	7,498,000
(5) 40.20-Distributed Administration.....	-8,405,000
	-7,405,000
(6) Reimbursements.....	-435,000

Provisions:

1. Of the amount appropriated in this item, \$500,000 shall be used only for the purposes of the Real Estate Recovery Account.

SEC. 131. Item 2660-001-0042 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-001-0042—For support of Department of Transportation, payable from the State Highway Account, State
Transportation Fund..... ~~2,535,650,000~~
2,517,598,000

Schedule:

(1) 10-Aeronautics.....	3,655,000
	3,619,000
(2) 20.10-Highway Transportation—	
Capital Outlay Support.....	1,702,066,000
	1,605,623,000

1	(3) 20.30-Highway Transportation— Local	
2	Assistance.....	45,946,000
3		42,345,000
4	(4) 20.40-Highway Transportation— Pro-	
5	gram Development.....	77,212,000
6		77,644,000
7	(5) 20.65-Highway Transportation— Le-	
8	gal.....	80,000,000
9		125,056,000
10	(6) 20.70-Highway Transportation— Op-	
11	erations.....	207,932,000
12		204,690,000
13	(7) 20.80-Highway Transportation—	
14	Maintenance.....	1,200,544,000
15		1,260,717,000
16	(8) 30-Mass Transportation.....	139,579,000
17		140,074,000
18	(9) 40-Transportation Planning.....	108,048,000
19		82,593,000
20	(10) 50.00-Administration.....	377,401,000
21		428,574,000
22	(11) 60.10-Equipment Service Program	
23	Costs.....	199,761,000
24		235,203,000
25	(11.5) 60.20-Distributed Equipment Ser-	
26	vice Program Costs.....	199,761,000
27		236,129,000
28	(12) Reimbursements.....	337,578,000
29		338,527,000
30	(13) Amount payable from the Aeronautics	
31	Account, State Transportation Fund	
32	(Item 2660-001-0041).....	-3,549,000
33	(14) Amount payable from the Bicycle	
34	Transportation Account, State Trans-	
35	portation Fund (Item 2660-001-	
36	0045).....	-20,000
37	(15) Amount payable from the Public	
38	Transportation Account, State	
39	Transportation Fund (Item 2660-001-	
40	0046).....	-160,945,000

1	(16) Amount payable from the Historic	
2	Property Maintenance Fund (Item 2660-	
3	001-0365).....	-1,632,000
4	(16.5) Amount payable from the Seismic	
5	Retrofit Bond Fund of 1996 (Section	
6	8879.3 of the Government Code).....	-5,482,000
7		-7,376,000
8	(17) Amount payable from the Federal	
9	Trust Fund (Item 2660-001-0890)....	-541,003,000
10		-495,617,000
11	(17.5) Amount payable from Federal Trust	
12	Fund.....	-26,221,000
13	(18) Amount payable from the Transporta-	
14	tion Financing Subaccount, State	
15	Highway Account, State Transportation	
16	Fund (Item 2660-001-6801).....	-782,000
17		-594,000
18	(18.5) Amount payable from the Trans-	
19	portation Investment Fund (Item	
20	2660-002-3008).....	-244,440,000
21		-289,277,000
22	(19) Amount payable from the State Route	
23	99 Account, Highway Safety, Traffic	
24	Reduction, Air Quality, and Port Secu-	
25	rity Fund of 2006 (Item 2660-004-	
26	6072).....	-4,496,000
27		-6,246,000
28	(21) Amount payable from the Corridor	
29	Mobility Improvement Account,	
30	Highway Safety, Traffic Reduction,	
31	Air Quality, and Port Security Fund of	
32	2006 (Item 2660-004-6055).....	-23,813,000
33		-40,642,000
34	(22) Amount payable from the Trade Corri-	
35	dors Improvement Fund (Item 2660-	
36	004-6056).....	-2,564,000
37		-3,487,000

1	(23) Amount payable from the Transportation Facilities Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6058).....	−56,840,000
2		−57,427,000
3		
4		
5		
6		
7	(24) Amount payable from the Public Transportation Modernization, Improvement, and Service Enhancement Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6059)....	−1,312,000
8		
9		
10		
11		
12		
13	(24.5) Amount payable from the State-Local Partnership Program Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6060).....	−496,000
14		
15		
16		
17		
18	(26) Amount payable from the Local Bridge Seismic Retrofit Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6062).....	−232,000
19		
20		
21		
22		
23	(27) Amount payable from the Highway-Railroad Crossing Safety Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6063).....	−636,000
24		
25		
26		
27		
28	(28) Amount payable from the Highway Safety, Rehabilitation, and Preservation Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6064).....	−20,913,000
29		−18,175,000
30		
31		
32		
33		
34		
35	Provisions:	
36	1. Notwithstanding any other provision of law, funds appropriated in this item from the State Highway Account may be reduced and replaced by an equivalent amount of federal funds determined by the Department of Transportation to be available and necessary to	
37		
38		
39		
40		

comply with Section 8.50 and the most effective management of state transportation resources. Not more than 30 days after replacing the state funds with federal funds, the Director of Finance shall notify in writing the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.

2. Notwithstanding any other provision of law, funding appropriated in this item may be transferred to Item 2660-005-0042 to pay for any necessary insurance, debt service, and other financing-related expenditures for Department of Transportation-owned office buildings. Any transfer will require the prior approval of the Department of Finance.
3. *Of the funds appropriated in Schedule (2), \$1,184,744,000 is for state staff and state staff cash overtime, \$271,696,000 is for external consultant and professional services related to project delivery (also known as 232 contracts), and \$149,183,000 is for operating expenses.* The funds appropriated in Schedule (2) for external consultant and professional services related to project delivery (~~also known as 232 contracts~~) that are unencumbered or encumbered but unexpended related to work that will not be performed during the fiscal year shall revert to the fund from which they were appropriated.
4. Notwithstanding any other provision of law, funds appropriated in this item may be supplemented with federal funding appropriation authority and with prior fiscal year State Highway Account appropriation balances at a level determined by the Department of Transportation as required to process claims utilizing federal advance construction through the plan of financial adjustment process pursuant to Sections 11251 and 16365 of the Government Code.
5. Notwithstanding any other provision of law, funds appropriated in Item 2660-001-0042, 50.00-Administration from the State Highway Account, may be reduced and replaced by an equivalent amount of reim-

1 bursements determined by the Department of Trans-
2 portation to be available and necessary to comply with
3 Section 28.50 and the most effective management of
4 state transportation resources. The reimbursements
5 may also be reduced and replaced by an equivalent
6 amount of funds from the State Highway Account.
7 Not more than 30 days after replacing the State High-
8 way Account funds with reimbursements and vice
9 versa, the Director of Finance shall notify in writing
10 the chairpersons of the committees in each house of
11 the Legislature that consider appropriations and the
12 Chairperson of the Joint Legislative Budget Committee
13 of this action.

- 14 6. Of the funds appropriated in Schedule (7),
15 \$214,000,000 is for major maintenance contracts for
16 the preservation of highway pavement, and shall not
17 be used to supplant any other funding that would have
18 been used for major pavement maintenance.

- 19 7. Of the funds appropriated in Schedule (5), ~~\$48,556,000~~
20 \$68,556,000 is for the payment of tort lawsuit claims
21 and awards. Any funds for that purpose that are unen-
22 cumbered as of April 1, 2010, may be transferred to
23 Item 2660-302-0042. Any transfer shall require the
24 prior approval of the Department of Finance.

- 25 8. Of the funds appropriated in this item, transfers shall
26 be available to Items 2660-004-6055, 2660-004-6056,
27 2660-004-6058, 2660-004-6059, 2660-004-6060,
28 2660-004-6062, 2660-004-6063, 2660-004-6064, and
29 2660-004-6072. The Department of Finance shall au-
30 thorize the transfer not sooner than 30 days after noti-
31 fication in writing to the chairpersons of the commit-
32 tees in each house of the Legislature that consider ap-
33 propriations and the Chairperson of the Joint Legisla-
34 tive Budget Committee.

- 35 9. *Of the funds appropriated in Schedule (2), the follow-*
36 *ing shall apply:*

- 37 (a) *The Department of Transportation shall allocate*
38 *an amount not to exceed \$500,000 per year for*
39 *two years, from the State Highway Account, as*
40 *appropriated in the Budget Act, for purposes of*

1 *funding workforce development training to pro-*
2 *vide highway construction and trade-related ap-*
3 *prenticeship and workforce preparation training*
4 *to unemployed or underemployed individuals, in-*
5 *cluding training related to the following:*

- 6 (1) *Preapprenticeship employability skills.*
- 7 (2) *Job-readiness.*
- 8 (3) *Construction-related skills.*
- 9 (4) *Job referral and placement.*

10 (b) *The department is authorized to enter into con-*
11 *tracts for purposes of providing workforce devel-*
12 *opment training according to the following terms:*

- 13 (1) *Contracts shall be awarded on a competitive*
14 *basis.*
- 15 (2) *Contracts shall be awarded to bidders that*
16 *operate existing workforce development*
17 *programs, including, but not limited to, pro-*
18 *grams operated by the State Department of*
19 *Education, Regional Occupational Centers*
20 *and Programs, Apprenticeship Councils, lo-*
21 *cal Workforce Investment Boards, K–12*
22 *schools, industry associations, and communi-*
23 *ty organizations.*
- 24 (3) *To the maximum extent possible, funds should*
25 *be used in combination with other state, fed-*
26 *eral, local, or private funds to provide maxi-*
27 *mum workforce development benefit. The*
28 *department shall seek additional federal*
29 *grant dollars to expand the program.*
- 30 (4) *Priority is to be given to workforce develop-*
31 *ment efforts intended to provide benefits pri-*
32 *marily to neighborhoods experiencing high*
33 *rates of poverty and unemployment and low*
34 *levels of educational attainment, work expe-*
35 *rience, and workforce employability skills.*
- 36 (5) *Workforce development training will provide*
37 *specialized training and certifications neces-*
38 *sary to work in highway construction, includ-*
39 *ing skills related to green and emerging*

technologies within the transportation industry.

(6) Contractors must provide to the department monthly reports that include the number of enrollments, graduates, contractor partnerships developed for job placements, actual job placements, and jobs retained.

(c) The department shall implement this provision in collaboration with the Employment Development Department and California Workforce Investment Board.

(d) Funds shall be used solely for training or curriculum.

(e) By March 1, 2011, the department shall report to the Joint Legislative Budget Committee on outcomes of the workforce development program. The report shall include, but not necessarily be limited to, the following information:

(1) The amount of any supplemental funds received for the program beyond the \$1,000,000 provided for in this provision.

(2) The name of each training provider and the amount of funds allocated to each, including a summary of expenditures by category.

(3) The number of individuals who received training by each provider, the number of program graduates for each provider, and the number of training-related job placements by each provider.

(4) A description of the coordination between activities funded pursuant to this provision and other federal, state, or local training programs.

(5) The extent to which funds provided for pursuant to this section were leveraged to expand other training resources.

(6) A recommendation whether the department should continue to provide funds for workforce development training related to high-

way construction and, if so, recommendations
for improvement to the program.

10. Of the funds appropriated in Schedule (9), \$36,475,000 is for the Department of Transportation's preprogramming activities, including the preparation of project initiation documents. No later than October 1, 2009, the department shall convene a working group in partnership with local agencies to identify options to share costs, lower costs, streamline procedures, and reduce delays associated with project initiation documents. The department shall report the findings and recommendations of the working group to the Joint Legislative Budget Committee no later than March 1, 2010.
11. No later than January 10, 2010, the Department of Transportation shall provide to the Legislature information explaining and justifying the workload for the department's legal, information technology, administrative, and civil rights activities for all the department's programs.
12. The Department of Transportation is hereby authorized to enter into contracts for the provision of legal, financial, and technical services needed to implement the Public-Private Partnership program for up to a total of \$8,500,000, of which \$6,900,000 is subject to future augmentation as provided in this provision. If specific Public-Private Partnership projects are identified for evaluation, review, and analysis by the department, this item may be augmented by up to \$6,900,000 after submittal of a request to the Joint Legislative Budget Committee for 30-day review. Any request for an augmentation by the department should include a description of the location, scope, and financing for the project being evaluated, reviewed, or analyzed.

SEC. 132. Item 2660-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-001-0890—For support of Department of Transportation,	
for payment to Item 2660-001-0042, payable from the	
Federal Trust Fund.....	541,003,000
	495,617,000

Provisions:

1. For Program 20—Highway Transportation. For purposes of Section 163 of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.
2. For Program 20—Highway Transportation. Federal funds may be received from any federal source, and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.
3. Notwithstanding any other provision of law, the Director of Finance may augment this item with additional federal funds in conjunction with an equivalent offsetting reduction in State Highway Account funds in Item 2660-001-0042, pursuant to Provision 1 of that item or Public Transportation Account funds in Item 2660-001-0046, pursuant to Provision 2 of that item.

SEC. 133. Item 2660-001-6801 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-001-6801—For support of Department of Transportation,	
for payment to Item 2660-001-0042, payable from the	
Transportation Financing Subaccount, State Highway	
Account, State Transportation Fund.....	782,000
	594,000

SEC. 134. Item 2660-002-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

2660-002-0890—For support of Department of Transportation,
for debt service requirements and other financing related
costs for federal Grant Anticipation Revenue Vehicles
(GARVEE) issued in the 2009–10 fiscal year, payable from
the Federal Trust Fund..... 675,000,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for encumbrance or expenditure until expended.
2. Notwithstanding Section 28.00, upon approval of the Department of Finance, this item may be augmented if additional funds are necessary to meet debt service and other requirements related to the fiscal year 2009–10 GARVEE issuance.
3. The appropriation in this item reflects, in part, the pledge made by the California Transportation Commission in accordance with Section 14553.7 of the Government Code in connection with the GARVEE bonds issued in the 2009–10 fiscal year.
4. Funds appropriated in this item are in lieu of the amounts that have been appropriated pursuant to Section 14554.8 of the Government Code.

SEC. 135. Item 2660-002-3007 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-002-3007—For support of Department of Transportation,
payable from the Traffic Congestion Relief Fund..... ~~27,797,000~~
16,393,000

Schedule:

- (1) 20.10-Highway Transportation— Capital Outlay Support..... ~~27,510,000~~
16,106,000
- (2) 30-Mass Transportation..... 287,000

Provisions:

1. Notwithstanding any other provision of law, if the California Transportation Commission allocates funds to Traffic Congestion Relief Program projects in the 2009–10 fiscal year, the Director of Finance may increase expenditure authority in this item for additional

capital outlay staffing directly related to new Traffic Congestion Relief Program allocations after notifying the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval.

SEC. 136. Item 2660-002-3008 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-002-3008—For support of Department of Transportation,	
for payment to Item 2660-001-0042, payable from the	
Transportation Investment Fund.....	244,440,000
	289,277,000

SEC. 137. Item 2660-004-6055 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6055—For support of Department of Transportation,	
for payment to Item 2660-001-0042, payable from the	
Corridor Mobility Improvement Account, Highway Safety,	
Traffic Reduction, Air Quality, and Port Security Fund of	
2006.....	23,813,000
	40,642,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 138. Item 2660-004-6056 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6056—For support of Department of Transportation,	
for payment to Item 2660-001-0042, payable from the	
Trade Corridors Improvement Fund.....	2,564,000
	3,487,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 139. Item 2660-004-6058 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6058—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Transportation Facilities Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006.... ~~56,840,000~~
57,427,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 140. Item 2660-004-6064 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6064—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Highway Safety, Rehabilitation, and Preservation Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006..... ~~20,913,000~~
18,175,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 141. Item 2660-004-6072 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6072—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the State Route 99 Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006..... ~~4,496,000~~
6,246,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 142. Item 2660-011-0042 is added to Section 2.00 of the Budget Act of 2009, to read:

2660-011-0042—For transfer by the Controller, upon order of the Director of Finance, from the State Highway Account, State Transportation Fund, to the General Fund.... (135,000,000)

Provisions:

1. The amount transferred in this item is a loan to the General Fund and shall be repaid by June 30, 2012. The repayment shall be made as to ensure that the programs supported by the State Highway Account, State Transportation Fund, are not adversely affected by the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 143. Item 2660-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-102-0890—For local assistance, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the Federal Trust Fund..... ~~1,469,313,000~~
1,462,711,000

Schedule:

- | | |
|-------------------------------------|--------------------------|
| (1) 20-Highway Transportation..... | 1,358,113,000 |
| | 1,351,511,000 |
| (2) 30-Mass Transportation..... | 46,100,000 |
| (3) 40-Transportation Planning..... | 65,100,000 |

Provisions:

1. Notwithstanding any other provision of law, funds appropriated in this item may be transferred intraschedule or to Item 2660-101-0890, 2660-301-0890, or 2660-302-0890. These transfers shall require the prior approval of the Department of Finance. Funds appropriated in Schedules (1) and (2) shall be available for allocation by the California Transportation Commission until June 30, 2011, and available for encumbrance and liquidation until June 30, 2015.
2. For Program 20—Highway Transportation. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.

3. For Program 20—Highway Transportation. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.

SEC. 144. Item 2660-302-0042 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-302-0042—For capital outlay, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the State Highway Account, State Transportation Fund..... ~~295,000,000~~
369,687,000

Schedule:

(1) 20-Highway Transportation..... ~~1,520,000,000~~
1,594,687,000

(a) State Highway
Operation and
Protection Pro-
gram..... ~~(1,520,000,000)~~
(1,594,687,000)

(2) Reimbursements..... -1,225,000,000

Provisions:

1. These funds shall be available for allocation by the California Transportation Commission until June 30, 2011, and available for encumbrance and liquidation until June 30, 2015.
2. Notwithstanding any other provision of law, funds appropriated in this item may be transferred to Item 2660-101-0042, 2660-102-0042, 2660-301-0042, or 2660-311-0042. These transfers shall require the prior approval of the Department of Finance.
4. No funds appropriated in this item are available for expenditure on specialty building facilities. For the purpose of this item, specialty building facilities are equipment facilities, maintenance facilities, material laboratories, and traffic management centers.

SEC. 145. Item 2660-302-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-302-0890—For capital outlay, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the Federal Trust Fund..... ~~1,388,039,000~~
1,209,652,000

Schedule:

(1) 20-Highway Transportation..... ~~1,388,039,000~~
1,209,652,000

(a) State Highway
Operation and
Protection Program..... ~~(1,388,039,000)~~
(1,209,652,000)

Provisions:

1. Notwithstanding any other provision of law, amounts scheduled in this item may be transferred to Item 2660-101-0890, 2660-102-0890, or 2660-301-0890. These transfers shall require the prior approval of the Department of Finance. These funds shall be available for allocation by the California Transportation Commission until June 30, 2011, and available for encumbrance and liquidation until June 30, 2015.
2. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.
3. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.
4. No funds appropriated in this item are available for expenditure on specialty building facilities. For the purpose of this item, specialty building facilities are equipment facilities, maintenance facilities, material laboratories, and traffic management centers.

SEC. 146. Item 2660-303-0042 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-303-0042—For capital outlay, Department of Transportation, specialty building facilities, payable from the State Highway Account, State Transportation Fund..... 56,000,000
48,500,000

Schedule:

(1) 20-Highway Transportation..... 56,000,000
48,500,000

Provisions:

1. For the purpose of this item, specialty building facilities are equipment facilities, maintenance facilities, material laboratories, and traffic management centers. Ancillary equipment associated with the management of transportation systems such as loop detectors, closed-circuit television cameras, and transportation management systems field elements are not deemed specialty building facilities and are not funded from this item.

SEC. 147. Item 2660-491 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-491—Reappropriation, Department of Transportation.
Notwithstanding any other provision of law, the unliquidated encumbrances for the appropriations provided in the following citations are reappropriated until June 30, 2010. The unencumbered balance shall not be available for encumbrance.
0042—State Highway Account
(0.3) *Item 2660-301-0042, Budget Act of 1999 (Ch. 50, Stats. 1999)*
(0.5) *Item 2660-301-0042, Budget Act of 2000 (Ch. 52, Stats. 2000)*
(1) *Item 2660-301-0042, Budget Act of 2002 (Ch. 379, Stats. 2002)*
(1.5) *Item 2660-301-0042, Budget Act of 2003 (Ch. 157, Stats. 2003)*
(2) *Item 2660-302-0042, Budget Act of 2002 (Ch. 379, Stats. 2002)*
(3) *Item 2660-302-0042, Budget Act of 2003 (Ch. 157, Stats. 2003)*

- ~~0046—Public Transportation Account~~
 (1) ~~Item 2660-301-0046, Budget Act of 2001 (Ch. 106,~~
~~Stats. 2001)~~
~~0890—Federal Trust Fund~~
 (1) ~~Item 2660-301-0890, Budget Act of 1999 (Ch. 50,~~
~~Stats. 1999)~~
 (2) ~~Item 2660-301-0890, Budget Act of 2000 (Ch. 52,~~
~~Stats. 2000)~~
 (3) ~~Item 2660-301-0890, Budget Act of 2001 (Ch. 106,~~
~~Stats. 2001)~~

SEC. 148. *Item 2665-004-6043 of Section 2.00 of the Budget Act of 2009 is amended to read:*

2665-004-6043—For support of High-Speed Rail Authority,
 payable in accordance with and from the proceeds of the
 Safe, Reliable High-Speed Train Bond Act for the 21st
 Century, payable from the High-Speed Passenger Train
 Bond Fund..... 1,795,000
 139,180,000

Provisions:

1. *The High-Speed Rail Authority is required to post in the 2009–10 fiscal year and annually thereafter its budget on their Internet Web site in order to insure public access and transparency.*
2. *Of the funds appropriated in this item, \$139,180,000 is appropriated to the High-Speed Rail Authority for the following purposes: project-level design and environmental review, program management services, financial planning, and public-private partnership program.*
3. *Of the funds appropriated in this item, \$69,590,000 shall be available for expenditure only after January 1, 2010, after the submittal of a revised business plan to, and a 30-day review by, the Joint Legislative Budget Committee that, among other things, addresses, at a minimum: (a) a plan for a community outreach component to cities, towns, and neighborhoods affected by this project, (b) further system details, such as route selection and alternative alignment considera-*

tions, (c) a thorough discussion describing the steps being pursued to secure financing, (d) a working timeline with specific, achievable milestones, and (e) what strategies the authority would pursue to mitigate different risks and threats. The authority shall submit the revised business plan to the Joint Legislative Budget Committee no later than December 15, 2009.

The revised business plan shall also provide additional information related to funding, project development schedule, proposed levels of service, ridership, capacity, operational plans, cost, private investment strategies, staffing, and a history of expenditures and accomplishments to date. In developing this revised business plan, the authority shall work in consultation with the appropriate legislative policy committees and the Legislative Analyst's Office to respond to specific aspects in the plan.

4. Notwithstanding any other provision of law, funds appropriated in this item from the High-Speed Passenger Train Bond Fund, to the extent permissible under federal law, may be reduced and replaced by an equivalent amount of federal funds determined by the High-Speed Rail Authority to be available and necessary to comply with Section 8.50 and the most effective management of state high-speed rail transportation resources. Not more than 30 days after replacing the state funds with federal funds, the Director of Finance shall notify in writing the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.

SEC. 149. Item 2670-001-0290 of Section 2.00 of the Budget Act of 2009 is amended to read:

2670-001-0290—For support of Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, payable from the Board of Pilot Commissioners' Special Fund.....	2,894,000 3,136,000
---	------------------------

Schedule:

(1) 10.01-Support..... 1,487,000

1,729,000

(2) 10.03-Training..... 1,407,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

SEC. 150. Item 2720-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

2720-001-0044—For support of Department of the California Highway Patrol, payable from the Motor Vehicle Account, State Transportation Fund..... 1,790,074,000
1,791,293,000

Schedule:

(1) 10-Traffic Management..... 1,741,069,000

1,742,413,000

(2) 20-Regulation and Inspection..... 203,231,000

204,324,000

(3) 30-Vehicle Ownership Security..... 45,812,000

45,847,000

(4) 40.01-Administration..... 328,501,000

340,410,000

(5) 40.02-Distributed Administration..... -327,880,000

-339,789,000

(6) Reimbursements..... -115,720,000

(7) Amount payable from the State Highway Account (Item 2720-001-0042).... -60,404,000

(8) Amount payable from the Motor Carriers Safety Improvement Fund (Item 2720-001-0293)..... -2,575,000

(9) Amount payable from the California Motorcyclist Safety Fund (Item 2720-001-0840)..... -1,409,000

-1,662,000

- (10) Amount payable from the Federal
Trust Fund (Item 2720-001-0890)..... ~~-18,222,000~~
~~-19,222,000~~
- (11) Amount payable from the Hazardous
Substance Account, Special Deposit
Fund (Item 2720-001-0942)..... -213,000
- (12) Amount payable from the Asset Forfeiture
Account, Special Deposit Fund
(Item 2720-011-0942)..... -2,116,000

Provisions:

1. On March 1, 2010, and each March 1 thereafter until the project is fully implemented, the Department of the California Highway Patrol shall report the status of the California Highway Patrol Enhanced Radio System to the appropriate fiscal and policy committees of the Legislature and the Joint Legislative Budget Committee. At a minimum, each report shall include all of the following: (a) a revised estimate of total project costs and activities, by fiscal year, including separate reporting on the categories of mobiles, portables, remote site equipment, Department of General Services costs, and other; (b) a description of any changes in the project scope including the type and number of hardware units needed, and changes to the frequencies used; and (c) a description of any adverse effects to interoperability caused by changes in usage of new technology by local agencies or other state agencies.
2. Of the funds appropriated in this item, \$7,000,000 may be directed to increase the Department of the California Highway Patrol's support for police and sheriffs in antigang activities.

SEC. 151. Item 2720-001-0840 of Section 2.00 of the Budget Act of 2009 is amended to read:

2720-001-0840—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the California Motorcyclist Safety Fund..... ~~1,409,000~~
~~1,662,000~~

1
2 *SEC. 152. Item 2720-001-0890 of Section 2.00 of the Budget*
3 *Act of 2009 is amended to read:*

4
5 2720-001-0890—For support of Department of the California
6 Highway Patrol, for payment to Item 2720-001-0044,
7 payable from the Federal Trust Fund..... ~~18,222,000~~
8 *19,222,000*

9
10 *SEC. 153. Item 2720-301-0044 of Section 2.00 of the Budget*
11 *Act of 2009 is amended to read:*

12
13 2720-301-0044—For capital outlay, Department of the Califor-
14 nia Highway Patrol, payable from the Motor Vehicle Ac-
15 count, State Transportation Fund..... ~~3,617,000~~
16 *6,334,000*

17 *Schedule:*

18 (1) 50.04.004-California Highway Patrol
19 Enhanced Radio System: Replace Tow-
20 ers and Vaults—Preliminary plans *and*
21 *working drawings*..... ~~3,617,000~~
22 *6,334,000*

23 *Provisions:*

24 1. *Notwithstanding any other provision of law, funds*
25 *appropriated in Schedule (1) for working drawings*
26 *shall be available for expenditure until June 30, 2011.*

27
28 *SEC. 154. Item 2740-001-0042 of Section 2.00 of the Budget*
29 *Act of 2009 is amended to read:*

30
31 2740-001-0042—For support of Department of Motor Vehicles,
32 for payment to Item 2740-001-0044, payable from the
33 State Highway Account, State Transportation Fund..... ~~52,452,000~~
34 *52,731,000*

35
36 *SEC. 155. Item 2740-001-0044 of Section 2.00 of the Budget*
37 *Act of 2009 is amended to read:*

1	2740-001-0044—For support of Department of Motor Vehicles,	
2	payable from the Motor Vehicle Account, State Transporta-	
3	tion Fund.....	522,929,000
4		532,386,000
5	Schedule:	
6	(1) 11-Vehicle/Vessel Identification and	
7	Compliance.....	528,507,000
8		531,416,000
9	(2) 22-Driver Licensing and Personal	
10	Identification.....	242,663,000
11		250,563,000
12	(3) 25-Driver Safety.....	118,306,000
13		118,930,000
14	(4) 32-Occupational Licensing and Inves-	
15	tigative Services.....	48,328,000
16		48,586,000
17	(5) 35-New Motor Vehicle Board.....	2,076,000
18	(6) 41.01-Administration.....	105,478,000
19		106,647,000
20	(7) 41.02-Distributed Administration.....	-105,478,000
21		-106,647,000
22	(8) Reimbursements.....	-14,514,000
23	(9) Amount payable from the State High-	
24	way Account, State Transportation	
25	Fund (Item 2740-001-0042).....	-52,452,000
26		-52,731,000
27	(10) Amount payable from the New Motor	
28	Vehicle Board Account (Item 2740-	
29	001-0054).....	-2,076,000
30	(11) Amount payable from the Harbors and	
31	Watercraft Revolving Fund (Item 2740-	
32	001-0516).....	-4,405,000
33	(12) Amount payable from the Federal Trust	
34	Fund (Item 2740-001-0890).....	-2,435,000
35	(13) Amount payable from the Motor	
36	Vehicle License Fee Account,	
37	Transportation Tax Fund (Item 2740-	
38	001-0064).....	-341,069,000
39		-343,024,000

Provisions:

1. No later than December 31 of each year up to and including 2014, the Department of Motor Vehicles shall report to the Joint Legislative Budget Committee and the policy committees on transportation of both houses of the Legislature on all of the following concerning the Information Technology Modernization project:
 - (a) planned milestone completion dates versus actual milestone completion dates, (b) planned expenditures by phase versus actual expenditures by phase, and (c) description of adherence to scope and reasons for any changes.
2. *Of the funds appropriated in this item, \$6,591,000 is appropriated to the Department of Motor Vehicles so that it may implement a new Driver's License/Identification/Salesperson card contract. No funding is included in the department's budget to purchase, install, or use the biometric technology of facial-recognition software. For the purpose of this provision, "facial-recognition software" means computer technology that would allow the automated matching of a digital image or photo of an individual against a database of digital images or photos of that individual or other individuals. Any purchase or use, in the 2009–10 fiscal year and thereafter, of facial-recognition software shall be permitted only upon enactment of subsequent legislation that authorizes such technology and the use of such technology.*

SEC. 156. Item 2740-001-0064 of Section 2.00 of the Budget Act of 2009 is amended to read:

2740-001-0064—For support of Department of Motor Vehicles,	
for payment to Item 2740-001-0044, payable from the	
Motor Vehicle License Fee Account, Transportation Tax	
Fund.....	341,069,000
	343,024,000

SEC. 157. Item 2740-011-0044 is added to Section 2.00 of the Budget Act of 2009, to read:

2740-011-0044—For transfer by the Controller, upon order of the Director of Finance, from the Motor Vehicle Account, State Transportation Fund, to the General Fund..... (70,000,000)

Provisions:

1. The funds transferred in this item are moneys from revenues that are not protected by Article XIX of the California Constitution.

SEC. 158. Item 2740-491 is added to Section 2.00 of the Budget Act of 2009, to read:

2740-491—Extension of liquidation period, Department of Motor Vehicles. Notwithstanding any other provision of law, funds appropriated in the following citations shall be made available for liquidation of encumbrances until June 30, 2010:

- (1) Up to \$8,500,000 appropriated in Schedule (2) of Item 2740-001-0044, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), is reappropriated only for the purpose of completing the Web site Infrastructure Project and shall be available for expenditure until June 30, 2010. Any of the funds not used for these purposes shall revert to the Motor Vehicle Account.

SEC. 159. Item 3125-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3125-490—Reappropriation, California Tahoe Conservancy. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended until June 30, 2011:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

- (1) Item 3125-101-0005, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3125-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 10-Tahoe Conservancy

(2) Reimbursements

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

- (1) *Item 3125-101-6029, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3125-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
- (1) *10-Tahoe Conservancy*
- (2) *Item 3125-101-6029, Budget Act of 2004 (Ch. 208, Stats. 2004)*
- (1) *10-Tahoe Conservancy*
- (3) *Item 3125-101-6029, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)*
- (1) *10-Tahoe Conservancy*
- 6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002*
- (1) *Item 3125-101-6031, Budget Act of 2004 (Ch. 208, Stats. 2004)*
- (1) *10-Tahoe Conservancy*
- (2) *Item 3125-101-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)*
- (1) *10-Tahoe Conservancy*

SEC. 160. Item 3125-491 is added to Section 2.00 of the Budget Act of 2009, to read:

- 3125-491—Reappropriation, California Tahoe Conservancy. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended until June 30, 2011:*
- 0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund*
- (1) *Item 3125-301-0005, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3125-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
 - (1) *50.30.002-Land acquisition and site improvements—Public access and recreation*
 - (2) *50.30.003-Acquisition, restoration, and enhancement of habitat*
 - (3) *50.30.004-Land acquisition and site improvements—Stream environment zones and watershed restorations*
 - (4) *50.30.005-Land acquisition*

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 3125-301-6029, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 50.30.002-For land acquisition and site improvements for public access and recreation

(2) 50.30.003-For land acquisition and site improvements for wildlife enhancement

(3) 50.30.004-For land acquisition and site improvements for stream environment zones and watershed restorations

(4) 50.30.005-For land acquisitions

(5) Reimbursements

(2) Item 3125-301-6029, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

(1) 50.30.002-For land acquisition and site improvements for public access and recreation

(2) 50.30.003-For land acquisition and site improvements for wildlife enhancement

(3) 50.30.004-For land acquisition and site improvements for stream environment zones and watershed restorations

(4) 50.30.005-For land acquisitions

(5) Reimbursements

SEC. 161. Item 3340-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3340-001-0001—For support of California Conservation Corps.....	34,184,000
Schedule:	
(1) 10-Training and Work Program.....	64,238,000
	71,538,000
(2) 20.01-Administration.....	7,902,000
(3) 20.02-Distributed Administration.....	-7,902,000
(3.5) Amount payable from the California Environmental License Plate Fund (Item 3340-001-0140).....	-300,000

- | | | |
|----|---|-------------|
| 1 | (4) Amount payable from the Collins- | |
| 2 | Dugan California Conservation Corps | |
| 3 | Reimbursement Account (Item 3340- | |
| 4 | 001-0318)..... | -25,585,000 |
| 5 | (5) Amount payable from the Safe Drink- | |
| 6 | ing Water, Water Quality and Supply, | |
| 7 | Flood Control, River and Coastal Pro- | |
| 8 | tection Fund of 2006 (Item 3340-001- | |
| 9 | 6051)..... | -4,469,000 |
| 10 | | -11,469,000 |

11 Provisions:

- | | |
|----|---|
| 12 | 1. Of the funds appropriated in this item, \$2,725,000 |
| 13 | shall be available for use by the California Conserva- |
| 14 | tion Corps to respond to natural disasters and other |
| 15 | emergencies, including the fighting of forest fires. The |
| 16 | Director of Finance may adjust this amount to the ex- |
| 17 | tent indicated by corrections identified by the director |
| 18 | in the reports of the past expenditures of the California |
| 19 | Conservation Corps upon which the amounts appropri- |
| 20 | ated by this item are based. The Director of Finance |
| 21 | shall notify the Chairperson of the Joint Legislative |
| 22 | Budget Committee at least 30 days prior to making |
| 23 | that adjustment. |
| 24 | 2. To the extent that funds in excess of the amount iden- |
| 25 | tified in Provision 1 are necessary in order for the |
| 26 | California Conservation Corps to respond to one or |
| 27 | more emergencies declared by the Governor, the De- |
| 28 | partment of Finance shall transfer, from the funds |
| 29 | available pursuant to Section 8690.6 of the Govern- |
| 30 | ment Code, an amount not to exceed \$1,500,000 as |
| 31 | necessary to fund that response. If, after the Depart- |
| 32 | ment of Finance has transferred funds pursuant to this |
| 33 | provision, the California Conservation Corps receives |
| 34 | reimbursements or other amounts in payment of its |
| 35 | costs of response to one or more declared emergencies, |
| 36 | those amounts shall be deposited in the General Fund. |

37
 38 *SEC. 162. Item 3340-001-0140 is added to Section 2.00 of the*
 39 *Budget Act of 2009, to read:*

3340-001-0140—For support of the California Conservation
Corps, for payment to Item 3340-001-0001, payable from
the California Environmental License Plate Fund..... 300,000

SEC. 163. Item 3340-001-0318 of Section 2.00 of the Budget
Act of 2009 is amended to read:

3340-001-0318—For support of California Conservation Corps,
for payment to Item 3340-001-0001, payable from the
Collins-Dugan California Conservation Corps Reimburse-
ment Account..... 25,585,000

Provisions:

1. Notwithstanding Section 14316 of the Public Re-
sources Code, the Department of Finance may make
a loan from the General Fund to the Collins-Dugan
California Conservation Corps Reimbursement Ac-
count for the purposes of this item, in the amount of
25 percent of the reimbursements anticipated in the
Collins-Dugan California Conservation Corps Reim-
bursement Account to be received by the California
Conservation Corps from each client agency, not to
exceed an aggregate total of \$5,963,000 to meet
cashflow needs due to delays in collecting reimburse-
ments. Any loan made by the Department of Finance
pursuant to this provision shall only be made if the
California Conservation Corps has a valid contract or
certification signed by the client agency, which
demonstrates that sufficient funds will be available to
repay the loan. All moneys so transferred shall be re-
paid to the General Fund as soon as possible, but not
later than one year from the date of the loan. On and
after a date of 90 days after the end of that year, the
Department of Finance shall charge interest to the
California Conservation Corps, at the rate earned in
the Pooled Money Investment Account, on any portion
of the loan that has not been repaid.

2. Notwithstanding ~~Section~~ Sections 28.00 and 28.50,
the Department of Finance may augment this item to
reflect increases in reimbursements in the Collins-
Dugan California Conservation Corps Reimbursement

Account received from another officer, department, division, bureau, or other agency of the state *or from a local government, the federal government, or non-profit organizations that has requested emergency services from the California Conservation Corps after it has notified the Legislature through a letter to the Joint Legislative Budget Committee.* Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as a part of the regular budget process.

SEC. 164. Item 3340-001-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3340-001-6051—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 4,469,000
11,469,000

Provisions:

1. The use of these funds shall include, but is not limited to, outreach education for, and workforce training of, California's foster care youth.

SEC. 165. Item 3340-101-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-101-0001—For local assistance, California Conservation Corps, payable from the General Fund..... 8,250,000
Provisions:

1. The funds appropriated in this item shall be provided as grants to certified local conservation corps that are eligible for an appropriation under paragraph (3) of subdivision (a) of Section 14581 of the Public Resources Code for beverage container litter reduction activities.

SEC. 166. Item 3340-101-0133 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-101-0133—For local assistance, California Conservation Corps, payable from the California Beverage Container Recycling Fund..... 8,250,000

Provisions:

1. The funds appropriated in this item shall be provided as grants to certified local conservation corps that are eligible for an appropriation under paragraph (3) of subdivision (a) of Section 14581 of the Public Resources Code for beverage container litter reduction activities.

SEC. 167. Item 3340-101-6051 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-101-6051—For local assistance, California Conservation Corps, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 6,700,000

Provisions:

1. The use of these funds shall include, but is not limited to, outreach to, education for, and workforce training of California's foster care youth.

SEC. 168. Item 3340-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-490—Reappropriation, California Conservation Corps.

The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) Item 3340-101-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for local assistance grants to local conservation corps

SEC. 169. Item 3340-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-491—Reappropriation, California Conservation Corps.
 The balances of the appropriations provided for in the
 following citations are reappropriated for the purposes
 and subject to the limitations, unless otherwise specified,
 provided for in the appropriations:

0660—Public Buildings Construction Fund

(1) Item 3340-301-0660, Budget Act of 2006 (Chs. 47 and
 48, Stats. 2006)

(1) 20.10.170-Tahoe Base Center Relocation—Work-
 ing drawings and construction

SEC. 170. Item 3360-001-0381 of Section 2.00 of the Budget
 Act of 2009 is amended to read:

3360-001-0381—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360- 001-0465, payable from the Public Interest Research, De- velopment, and Demonstration Fund.....	73,549,000
	74,252,000

Provisions:

1. Notwithstanding subdivision (a) of Section 1.80, funds appropriated in this item shall be available for expenditure during the 2009–10 and 2010–11 fiscal years.
2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item shall be available for liquidation of encumbrances until June 30, 2015.
3. Notwithstanding any other provision of law other than the provisions of this item, funds appropriated in this item may be used by the State Energy Resources Conservation and Development Commission to provide grants, loans, or repayable research contracts. The commission may use a high-point scoring method in lieu of lowest cost when evaluating proposals. The commission shall determine repayment terms.

SEC. 171. Item 3360-001-0465 of Section 2.00 of the Budget
 Act of 2009 is amended to read:

1	3360-001-0465—For support of Energy Resources Conservation	
2	and Development Commission, payable from the Energy	
3	Resources Programs Account.....	64,184,000
4		69,112,000
5	Schedule:	
6	(1) 10-Regulatory and Planning.....	32,444,000
7		37,372,000
8	(2) 20-Energy Resources Conservation.....	26,200,000
9		188,847,000
10	(3) 30-Development.....	244,435,000
11		245,138,000
12	(4) 40.01-Policy, Management, and Admin-	
13	istration.....	21,582,000
14		23,103,986
15	(5) 40.02-Distributed Policy, Management,	
16	and Administration.....	-21,582,000
17		-23,103,986
18	(6) Reimbursements.....	-5,820,000
19	(7) Amount payable from the Motor Vehicle	
20	Account, State Transportation Fund	
21	(Item 3360-001-0044).....	-139,000
22	(8) Amount payable from the Public Inter-	
23	est Research, Development, and	
24	Demonstration Fund (Item 3360-001-	
25	0381).....	-73,549,000
26		-74,252,000
27	(9) Amount payable from the Renewable	
28	Resource Trust Fund (Item 3360-001-	
29	0382).....	-8,274,000
30	(10) Amount payable from the Energy	
31	Technologies Research Development	
32	and Demonstration Account (Item	
33	3360-001-0479).....	-2,412,000
34	(11) Amount payable from the Local Govern-	
35	ment Geothermal Resources Revolving	
36	Subaccount, Geothermal Resources	
37	Development Account (Item 3360-001-	
38	0497).....	-305,000

1	(12) Amount payable from the Federal	
2	Trust Fund (Item 3360-001-0890)....	19,628,000
3		182,275,000
4	(13) Amount payable from the Energy Faci-	
5	lity License and Compliance Fund (Item	
6	3360-001-3062).....	-2,510,000
7	(14) Amount payable from Natural Gas	
8	Subaccount, Public Interest Research,	
9	Development, and Demonstration	
10	Fund (Item 3360-001-3109).....	-24,000,000
11	(15) Amount payable from Alternative	
12	and Renewable Fuel and Vehicle	
13	Technology Fund (Item 3360-001-	
14	3117).....	-102,258,000
15	Provisions:	
16	1. Notwithstanding Section 16304.1 of the Government	
17	Code, funds appropriated in this item for the Energy	
18	Technology Export Program shall be available for	
19	liquidation of encumbrances until June 30, 2013.	

21 *SEC. 172. Item 3360-001-0890 of Section 2.00 of the Budget*
 22 *Act of 2009 is amended to read:*

23		
24	3360-001-0890—For support of Energy Resources Conservation	
25	and Development Commission, for payment to Item 3360-	
26	001-0465, payable from the Federal Trust Fund.....	19,628,000
27		182,275,000

29 *SEC. 173. Item 3360-001-3117 of Section 2.00 of the Budget*
 30 *Act of 2009 is amended to read:*

31		
32	3360-001-3117—For support of Energy Resources Conservation	
33	and Development Commission, for payment to Item 3360-	
34	001-0465, payable from the Alternative and Renewable	
35	Fuel and Vehicle Technology Fund.....	102,258,000
36	Provisions:	
37	1. Notwithstanding subdivision (a) of Section 1.80, funds	
38	appropriated in this item shall be available for expen-	
39	diture during the 2009–10 and 2010–11 fiscal years.	

2. *The State Energy Resources Conservation and Development Commission shall not make any expenditures from this appropriation for hydrogen refueling stations in the 2009–10 fiscal year.*

SEC. 174. Item 3360-011-0382 is added to Section 2.00 of the Budget Act of 2009, to read:

3360-011-0382—For transfer by the Controller, upon order of the Director of Finance from the Renewable Resource Trust Fund to the General Fund..... (35,000,000)

Provisions:

1. *The amount transferred in this item is a loan to the General Fund. The repayment shall be made so as to ensure that the programs supported by the Renewable Resource Trust Fund are not adversely affected by the loan, but no later than June 30, 2011.*

SEC. 175. Item 3360-012-3117 is added to Section 2.00 of the Budget Act of 2009, to read:

3360-012-3117—For transfer by the Controller from the Alternative and Renewable Fuel and Vehicle Technology Fund to the General Fund..... (8,250,000)

Provisions:

1. *The transfer made by this item shall be considered a loan and shall be fully repaid on or before June 30, 2013.*

SEC. 176. Item 3480-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0001—For support of Department of Conservation.... 4,838,000

Schedule:

- (1) 10-Geologic Hazards and Mineral Resources Conservation..... 25,494,000
- (2) 20-Oil, Gas, and Geothermal Resources..... ~~25,530,000~~
25,569,000

1	(3) 30-Land Resource Protection.....	6,745,000
2		5,863,000
3	(4) 40.01-Administration.....	13,771,000
4		13,903,000
5	(5) 40.02-Distributed Administration.....	-13,771,000
6		-13,903,000
7	(6) 50-Beverage Container Recycling and	
8	Litter Reduction Program.....	51,066,000
9		51,146,000
10	(7) 60-Office of Mine Reclamation.....	6,782,000
11		6,795,000
12	(8) Reimbursements.....	-9,417,000
13	(10) Amount payable from the Surface	
14	Mining and Reclamation Account (Item	
15	3480-001-0035).....	-2,118,000
16	(11) Amount payable from the State High-	
17	way Account, State Transportation	
18	Fund (Item 3480-001-0042).....	-12,000
19	(12) Amount payable from the California	
20	Beverage Container Recycling Fund	
21	(Item 3480-001-0133).....	-50,966,000
22		-51,046,000
23	(13) Amount payable from the Soil Conser-	
24	vation Fund (Item 3480-001-0141).....	-3,918,000
25		-2,536,000
26	(14) Amount payable from the Hazardous	
27	and Idle-Deserted Well Abatement	
28	Fund (Section 3206 of the Public Re-	
29	sources Code).....	-100,000
30	(15) Amount payable from the Mine Recla-	
31	mation Account (Item 3480-001-	
32	0336).....	-3,937,000
33		-3,950,000
34	(16) Amount payable from the Strong Mo-	
35	tion Instrumentation and Seismic	
36	Hazards Mapping Fund (Item 3480-	
37	001-0338).....	-10,104,000
38	(16.5) Amount payable from the California	
39	Farmland Conservancy Program	
40	Fund (Item 3480-001-0867).....	-500,000

1	(17) Amount payable from the Federal Trust	
2	Fund (Item 3480-001-0890).....	-1,394,000
3	(18) Amount payable from the Bosco Keene	
4	Renewable Resources Investment Fund	
5	(Item 3480-001-0940).....	-1,235,000
6	(18.5) Amount payable from the Acute Or-	
7	phan Well Account, Oil, Gas, and	
8	Geothermal Administrative Fund	
9	(Item 3480-001-3102).....	-978,000
10	(19) Amount payable from the Abandoned	
11	Mine Reclamation and Minerals Fund	
12	Subaccount, Mine Reclamation Account	
13	(Item 3480-001-3025).....	-549,000
14	(20) Amount payable from the Oil, Gas,	
15	and Geothermal Administrative Fund	
16	(Item 3480-001-3046).....	-23,324,000
17		-23,363,000
18	(21) Amount payable from the Agriculture	
19	and Open Space Mapping Subaccount	
20	(Item 3480-001-6004).....	-435,000
21	(22) Amount payable from the California	
22	Clean Water, Clean Air, Safe Neighbor-	
23	hood Parks, and Coastal Protection	
24	Fund of 2002 (Item 3480-001-6029)....	-550,000
25	(23) Amount payable from the Water Secu-	
26	rity, Clean Drinking Water, Coastal and	
27	Beach Protection Fund of 2002 (Item	
28	3480-001-6031).....	-1,477,000
29	(24) Amount payable from the Safe Drinking	
30	Water, Water Quality and Supply,	
31	Flood Control, River and Coastal Pro-	
32	tection Fund of 2006 (Item 3480-001-	
33	6051).....	-265,000
34	Provisions:	
35	1. Notwithstanding any other provision of law, upon ap-	
36	proval and order of the Department of Finance, the	
37	Department of Conservation may borrow sufficient	
38	funds, from special funds that otherwise provide sup-	
39	port for the department, to meet cashflow needs due	
40	to delays in collecting reimbursements. Any loan made	

by the Department of Finance pursuant to this provision may be made only if the Department of Conservation has a valid contract or certification signed by the client agency, which demonstrates that sufficient funds will be available to repay the loan. All moneys so transferred shall be repaid to the special fund as soon as possible, but not later than one year from the date of the loan.

SEC. 177. Item 3480-001-0133 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0133—For support of Department of Conservation,	
for payment to Item 3480-001-0001, payable from the	
California Beverage Container Recycling Fund.....	50,966,000
	51,046,000

SEC. 178. Item 3480-001-0141 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0141—For support of Department of Conservation,	
for payment to Item 3480-001-0001, payable from the Soil	
Conservation Fund.....	3,918,000
	2,536,000

Provisions:

1. Of the funds appropriated in this item, \$910,000 is available for the Department of Conservation to provide technical assistance to local jurisdictions that have a history of noncompliance with Williamson Act policy development, assist compliance with state law and contract terms as they relate to state law, and provide procedural guidance programs, in order to maintain consistent Williamson Act implementation statewide.

SEC. 179. Item 3480-001-0336 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0336—For support of Department of Conservation,
for payment to Item 3480-001-0001, payable from the
Mine Reclamation Account..... 3,937,000
3,950,000

*SEC. 180. Item 3480-001-0867 is added to Section 2.00 of the
Budget Act of 2009, to read:*

3480-001-0867—For support of Department of Conservation,
for payment to Item 3480-001-0001, payable from the
California Farmland Conservancy Program Fund 500,000

*SEC. 181. Item 3480-001-3046 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3480-001-3046—For support of Department of Conservation,
for payment to Item 3480-001-0001, payable from the Oil,
Gas, and Geothermal Administrative Fund..... 23,324,000
23,363,000

*SEC. 182. Item 3480-012-3117 is added to Section 2.00 of the
Budget Act of 2009, to read:*

3480-012-3117—For transfer by the Controller, upon order of
the Director of Finance from the Alternative and Renew-
able Fuel and Vehicle Technology Fund to the California
Beverage Container Recycling Fund (8,250,000)
Provisions:

1. The transfer made by this item is a loan to the California Beverage Container Recycling Fund and shall be fully repaid from revenues of the California Beverage Container Recycling Fund. The loan shall be repaid by the earliest feasible date. The full amount shall be repaid on or before June 30, 2013. The loan shall be repaid with interest at the rate earned by the Pooled Money Investment Account at the time of the transfer.

*SEC. 183. Item 3480-101-0005 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3480-101-0005—For local assistance, Department of Conservation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... 2,500,000
2,489,000

Provisions:

1. The fund appropriated in this item shall be available for expenditure until June 30, 2012.

SEC. 184. Item 3480-101-0867 of Section 2.00 of the Budget Act of 2009 is repealed.

~~3480-101-0867—For local assistance, Department of Conservation, payable from the California Farmland Conservancy Program Fund..... 1,000,000~~
~~Provisions:~~
~~1. The fund appropriated in this item shall be available for expenditure until June 30, 2012.~~

SEC. 185. Item 3540-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3540-001-0001—For support of Department of Forestry and Fire Protection..... 564,829,000
518,761,000

Schedule:

(1) 10-Office of the State Fire Marshal.....	20,828,000
	21,113,000
(2) 11-Fire Protection.....	1,005,433,000
	985,700,000
(3) 12-Resource Management.....	54,716,000
	54,969,000
(4) 13-Board of Forestry and Fire Protection.....	449,000
(5) 20.01-Administration.....	79,115,000
(6) 20.02-Distributed Administration.....	-78,473,000
(7) Reimbursements.....	-260,673,000
	-288,246,000
(8) Less funding provided by capital outlay.....	-24,774,000

1	(9) Amount payable from the General	
2	Fund (Item 3540-006-0001).....	-189,000,000
3		-182,000,000
4	(10) Amount payable from the State Emer-	
5	gency Telephone Number Account	
6	(Item 3540-001-0022).....	-3,341,000
7	(11) Amount payable from the Unified Pro-	
8	gram Account (Item 3540-001-0028)....	-345,000
9	(12) Amount payable from the State Fire	
10	Marshal Licensing and Certification	
11	Fund (Item 3540-001-0102).....	-2,746,000
12	(13) Amount payable from the California	
13	Environmental License Plate Fund	
14	(Item 3540-001-0140).....	-452,000
15		-497,000
16	(14) Amount payable from the California	
17	Fire and Arson Training Fund (Item	
18	3540-001-0198).....	-2,697,000
19	(15) Amount payable from the Hazardous	
20	Liquid Pipeline Safety Fund (Item	
21	3540-001-0209).....	-3,180,000
22	(16) Amount payable from the Public Re-	
23	sources Account, Cigarette and Tobacco	
24	Products Surtax Fund (Item 3540-001-	
25	0235).....	-413,000
26		-360,000
27	(17) Amount payable from the Professional	
28	Forester Registration Fund (Item 3540-	
29	001-0300).....	-216,000
30	(18) Amount payable from the Federal	
31	Trust Fund (Item 3540-001-0890).....	-18,390,000
32		-21,651,000
33	(19) Amount payable from the Forest Re-	
34	sources Improvement Fund (Item 3540-	
35	001-0928).....	-7,874,000
36	(20) Amount payable from the Timber Tax	
37	Fund (Item 3540-001-0965).....	-34,000

1	(21.4) Amount payable from the Alternative	
2	and Renewable Fuel and Vehicle	
3	Technology Fund (Item 3540-001-	
4	3117).....	-2,762,000
5	(21.5) Amount payable from the State Fire	
6	Marshal Fireworks Enforcement and	
7	Disposal Fund (Item 3540-001-	
8	3120).....	-15,000
9		-300,000
10	(23) Amount payable from the California	
11	Clean Water, Clean Air, Safe Neighbor-	
12	hood Parks, and Coastal Protection	
13	Fund (Item 3540-001-6029).....	-1,253,000
14	(24) Amount payable from the Water Secu-	
15	rity, Clean Drinking Water, Coastal and	
16	Beach Protection Fund of 2002 (Item	
17	3540-001-6031).....	-355,000
18	(25) Amount payable from the Safe Drinking	
19	Water, Water Quality and Supply,	
20	Flood Control, River and Coastal Pro-	
21	tection Fund of 2006 (Item 3540-001-	
22	6051).....	-1,481,000
23	Provisions:	
24	1. Notwithstanding any other provision of law, the De-	
25	partment of Finance may authorize the temporary or	
26	permanent redirection of funds from this item for	
27	purposes of emergency fire suppression and detection	
28	costs and related emergency refutation costs.	
29	2. Notwithstanding any other provision of law, the Direc-	
30	tor of Finance may authorize a loan from the General	
31	Fund, in an amount not to exceed 35 percent of reim-	
32	bursements appropriated in this item, to the Depart-	
33	ment of Forestry and Fire Protection, provided that:	
34	(a) The loan is to meet cash needs resulting from the	
35	delay in receipt of reimbursements for services	
36	provided.	
37	(b) The loan is for a short term and shall be repaid	
38	by September 30 of the fiscal year following that	
39	in which the loan was authorized.	

(c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.

(d) The Director of Finance may not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time that the chairperson of the joint committee, or his or her designee, may determine.

3. The Director of Finance may adjust amounts in ~~Program 11 of this item~~ *Schedule (2)* to provide equivalent Fire Protection base funding changes to Contract Counties in accordance with ~~Public Resources Code~~ Section 4130 *of the Public Resources Code*.

SEC. 186. Item 3540-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3540-001-0140—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the California Environmental License Plate Fund.....	452,000
	497,000

SEC. 187. Item 3540-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

3540-001-0235—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund.....	413,000
	360,000

SEC. 188. Item 3540-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3540-001-0890—For support of Department of Forestry and
 Fire Protection, for payment to Item 3540-001-0001,
 payable from the Federal Trust Fund..... ~~18,390,000~~
 21,651,000

*SEC. 189. Item 3540-001-3117 is added to Section 2.00 of the
 Budget Act of 2009, to read:*

3540-001-3117—For support of Department of Forestry and
 Fire Protection, for payment to Item 3540-001-0001,
 payable from the Alternative and Renewable Fuel and Ve-
 hicle Technology Fund..... 2,762,000

Provisions:

1. Notwithstanding any other provision of law, the De-
 partment of Forestry and Fire Protection may use
 moneys in the Alternative and Renewable Fuel and
 Vehicle Technology Fund to comply with regulations
 of the State Air Resources Board.

*SEC. 190. Item 3540-001-3120 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

3540-001-3120—For support of Department of Forestry and
 Fire Protection, for payment to Item 3540-001-0001,
 payable from the State Fire Marshal Fireworks Enforce-
 ment and Disposal Fund..... ~~15,000~~
 300,000

*SEC. 191. Item 3540-006-0001 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

3540-006-0001—For support of Department of Forestry and
 Fire Protection, for payment to Item 3540-001-0001..... ~~189,000,000~~
 182,000,000

Provisions:

1. The funds appropriated in this item shall be available
 for emergency fire suppression and detection costs
 and related emergency revegetation costs and may be
 used for these purposes to reimburse the main support

appropriation (Item 3540-001-0001) only upon approval by the Department of Finance.

2. The Director of Forestry and Fire Protection shall furnish quarterly reports on expenditures for emergency fire suppression activities to the Director of Finance, the Chairperson of the Joint Legislative Budget Committee, and the fiscal and appropriate policy committees of each house. The Director of Finance may authorize expenditures in excess of the amount appropriated in this item by an amount necessary to fund emergency fire suppression costs. This authorization shall occur not less than 30 days after the receipt by the Legislature of the quarterly expenditure report from the Department of Forestry and Fire Protection, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

SEC. 192. Item 3540-301-0660 is added to Section 2.00 of the Budget Act of 2009, to read:

<i>3540-301-0660—For capital outlay, Department of Forestry and Fire Protection, payable from the Public Buildings Construction Fund.....</i>		<i>290,344,000</i>
<i>Schedule:</i>		
<i>(1) 30.10.215-Parlin Fork Conservation Camp: Replace Facility—Preliminary plans, working drawings, and construction.....</i>		
		<i>53,544,000</i>
<i>(2) 30.10.245-Soquel Fire Station: Replace Facility—Preliminary plans, working drawings, and construction.....</i>		
		<i>10,599,000</i>
<i>(3) 30.10.250-Felton Fire Station/Unit Headquarters: Replace Facility—Preliminary plans, working drawings, and construction.....</i>		
		<i>25,100,000</i>
<i>(4) 30.20.050-El Dorado Fire Station, Service Warehouse: Replace Facility—Preliminary plans, working drawings, and construction.....</i>		
		<i>26,375,000</i>

1	(5) 30.20.120-Butte Unit Fire Station/Unit	
2	Headquarters: Replace Facility—Pre-	
3	liminary plans, working drawings, and	
4	construction.....	30,692,000
5	(6) 30.30.025-Potrero Fire Station: Replace	
6	Facility—Preliminary plans, working	
7	drawings, and construction.....	10,389,000
8	(7) 30.30.090-Cuesta Conservation	
9	Camp/San Luis Obispo Unit Auto Shop:	
10	Relocate Facilities—Preliminary plans,	
11	working drawings, and construction.....	70,238,000
12	(8) 30.30.095-Cayucos Fire Station: Re-	
13	place Facility—Preliminary plans,	
14	working drawings, and construction.....	9,678,000
15	(9) 30.40.165-Tuolumne-Calaveras Service	
16	Center, Administrative, Emergency	
17	Command Center: Relocate Facility—	
18	Preliminary plans, working drawings,	
19	and construction.....	24,655,000
20	(10) 30.40.175-Parkfield Fire Station: Re-	
21	place Facility—Preliminary plans,	
22	working drawings, and construction....	7,209,000
23	(11) 30.40.240-Gabilan Conservation Camp:	
24	Replace Base Officers' Quarters, Relo-	
25	cate Auto Shop, Service Center—Prelim-	
26	inary plans, working drawings, and	
27	construction.....	21,865,000
28	Provisions:	
29	1. The State Public Works Board may issue lease-revenue	
30	bonds, notes, or bond anticipation notes pursuant to	
31	Chapter 5 (commencing with Section 15830) of Part	
32	10b of Division 3 of Title 2 of the Government Code	
33	to finance the acquisition, design, and construction of	
34	the projects authorized by this item.	
35	2. Notwithstanding any other provision of law, the funds	
36	appropriated in this item shall be available for expen-	
37	diture during the 2009–10 fiscal year, except appro-	
38	priations for preliminary plans and working drawings,	
39	which shall be available for expenditure until June	
40	30, 2011, and appropriations for construction, which	

shall be available for expenditure until June 30, 2014. In addition, the balance of funds appropriated for construction that has not been allocated, through fund transfer or approval to bid, by the Department of Finance on or before June 30, 2012, shall revert as of that date to the fund from which the appropriation was made.

3. The Department of Forestry and Fire Protection and the State Public Works Board are authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled projects.
4. The State Public Works Board shall not be deemed a lead or responsible agency for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) for any activities under the State Building Construction Act of 1955 (Part 10b (commencing with Section 15800) of Division 3 of Title 2 of the Government Code). This section does not exempt the Department of Forestry and Fire Protection from the requirements of the California Environmental Quality Act. This section is intended to be declarative of existing law.
5. The funds appropriated in Schedules (2), (6), (8), and (10) include funding for construction and preconstruction activities, including, but not limited to, study, environmental documents, preliminary plans, working drawings, equipment, and other costs relating to the design and construction of forest fire station facilities, that may be performed by the Department of Forestry and Fire Protection. Not less than 20 days after providing notice to the Joint Legislative Budget Committee, the Department of Finance may modify which projects may be managed by the Department of Forestry and Fire Protection, provided that those projects are limited to the design and construction of fire station facilities or facilities with substantially similar components, which can be managed by existing capital outlay staff. While the Department of Forestry

1 *and Fire Protection may manage these projects, the*
2 *projects are subject to review by the State Public*
3 *Works Board and require authorization to proceed to*
4 *bid from the Department of Finance.*

5
6 *SEC. 193. Item 3540-490 is added to Section 2.00 of the Budget*
7 *Act of 2009, to read:*

8
9 *3540-490—Reappropriation, extension of liquidation period,*
10 *Department of Forestry and Fire Protection. Notwithstand-*
11 *ing any other provision of law, funds appropriated in the*
12 *following citations shall be available for liquidation of*
13 *encumbrances until June 30, 2010:*

14 *0005—Safe Neighborhood Parks, Clean Water, Clean Air,*
15 *and Coastal Protection Bond Fund*

16 *(1) Item 3540-101-0005, Budget Act of 2006 (Chs. 47 and*
17 *48, Stats. 2006)*

18 *6029—California Clean Water, Clean Air, Safe Neighbor-*
19 *hood Parks, and Coastal Protection Fund*

20 *(1) Item 3540-001-6029, Budget Act of 2006 (Chs. 47 and*
21 *48, Stats. 2006)*

22 *(2) Item 3540-101-6029, Budget Act of 2006 (Chs. 47 and*
23 *48, Stats. 2006)*

24 *6031—Water Security, Clean Drinking Water, Coastal and*
25 *Beach Protection Fund of 2002*

26 *(1) Item 3540-001-6031, Budget Act of 2006 (Chs. 47 and*
27 *48, Stats. 2006)*

28
29 *SEC. 194. Item 3540-493 is added to Section 2.00 of the Budget*
30 *Act of 2009, to read:*

31
32 *3540-493—Reappropriation, Department of Forestry and Fire*
33 *Protection. The balances of the appropriations provided*
34 *in the following citations are reappropriated for the pur-*
35 *poses and subject to the limitations, unless otherwise*
36 *specified, provided for in the appropriation:*

37 *0660—Public Buildings Construction Fund*

38 *(1) Item 3540-301-0660, Budget Act of 2004 (Ch. 208,*
39 *Stats. 2004), as reappropriated by Item 3540-492,*
40 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

- 1 (4) 30.30.165-Cuyamaca Forest Fire Station: Relo-
- 2 cate Facility—Construction
- 3 (2) Item 3540-301-0660, Budget Act of 2005 (Chs. 38 and
- 4 39, Stats. 2005), as reappropriated by Item 3540-491,
- 5 Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),
- 6 as reappropriated by Item 3540-491, Budget Act of
- 7 2008 (Chs. 268 and 269, Stats. 2008)
- 8 (0.5) 30.10.005-Alma Helitack Base: Replace Facili-
- 9 ty—Working drawings and construction
- 10 (3.25) 30.30.020-San Luis Obispo Ranger Unit
- 11 Headquarters: Replace Facility—Construction
- 12 (3.45) 30.30.115-Ventura Youth Conservation Camp:
- 13 Construct Apparatus Buildings, Shop, and
- 14 Warehouse—Working drawings and construc-
- 15 tion
- 16 (3.9) 30.40.145-Bautista Conservation Camp: Replace
- 17 Modular Buildings—Working Drawings and
- 18 construction
- 19 (4) 30.60.045-Statewide: Construct Forest Fire Sta-
- 20 tions—Working drawings and construction
- 21 (3) Item 3540-301-0660, Budget Act of 2006 (Chs. 47 and
- 22 48, Stats. 2006), as reappropriated by Item 3540-491,
- 23 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
- 24 (.1) 30.10.005-Alma Helitack Base: Replace Facili-
- 25 ty—Preliminary plans, working drawings, and
- 26 construction
- 27 (1) 30.10.265-North Region Forest Fire Station Faci-
- 28 lities—Working drawings and construction
- 29 (2) 30.20.135-Intermountain Conservation Camp:
- 30 Replace Facility—Preliminary plans, working
- 31 drawings, and construction
- 32 (2.1) 30.30.020-San Luis Obispo Ranger Unit Head-
- 33 quarters: Replace Facility—Working drawings
- 34 and construction
- 35 (2.3) 30.30.075-Warner Springs Forest Fire Station:
- 36 Replace Facility—Construction
- 37 (2.4) 30.30.115-Ventura Youth Conservation Camp:
- 38 Construct Apparatus Building, Shop, and
- 39 Warehouse—Construction

- 1 (3) 30.30.160-South Operations Area Headquarters:
2 Relocate Facility—Acquisition, working drawings,
3 and construction
- 4 (3.5) 30.30.165-Cuyamaca Forest Fire Station: Relo-
5 cate Facility—Construction
- 6 (4) 30.30.195-Miramonte Conservation Camp: Re-
7 place Facility—Working drawings and construc-
8 tion
- 9 (5) 30.40.030-Academy: Construct Dormitory
10 Building and Expand Mess hall—Preliminary
11 plans, working drawings, and construction
- 12 (5.4) 30.40.145-Bautista Conservation Camp: Replace
13 Modular Buildings—Construction
- 14 (6) 30.40.170-Badger Forest Fire Station: Replace
15 Facility—Preliminary plans, working drawings,
16 and construction
- 17 (4) Item 3540-301-0660, Budget Act of 2007 (Chs. 171
18 and 172, Stats. 2007), as reappropriated by Item 3540-
19 491, Budget Act of 2008 (Chs. 268 and 269, Stats.
20 2008)
- 21 (1) 30.10.195-Las Posadas Forest Fire Station: Re-
22 place Facility—Preliminary plans, working
23 drawings, and construction
- 24 (2) 30.20.001-Fawn Lodge Forest Fire Station: Re-
25 place Facility and Install New Well—Preliminary
26 plans, working drawings, and construction
- 27 (3) 30.20.006-Red Bluff Forest Fire Station / Unit
28 Headquarters: Replace Forest Fire Station and
29 Various Unit Headquarters Buildings—Prelimi-
30 nary plans, working drawings, and construction
- 31 (4) 30.20.008-Westwood Forest Fire Station: Replace
32 Facility—Preliminary plans, working drawings,
33 and construction
- 34 (5) 30.30.200-Paso Robles Forest Fire Station: Re-
35 place Facility—Preliminary plans, working
36 drawings, and construction
- 37 (6) 30.20.230-Bieber Forest Fire Station / Helitack
38 Base: Relocate Facility—Acquisition, preliminary
39 plans, working drawings, and construction (ap-
40 pears duplicative of below)

- 1 (7) 30.20.245-Ishi Conservation Camp: Replace Fa-
2 cility—Preliminary plans, working drawings, and
3 construction
- 4 (7.6) 30.30.115-Ventura Youth Conservation Camp:
5 Construct Vehicle Apparatus Building, Shop,
6 Warehouse—Working drawings and construction
- 7 (7.7) 30.30.160-South Operations Area Headquarters:
8 Relocate Facility—Acquisition, working draw-
9 ings, and construction
- 10 (8) 30.40.007-Growlersburg Conservation Camp:
11 Replace Facility—Preliminary plans, working
12 drawings, construction
- 13 (10) 30.40.145-Bautista Conservation Camp: Replace
14 Modular Buildings—Construction
- 15 (5) Item 3540-301-0660, Budget Act of 2008 (Chs. 268
16 and 269, Stats. 2008)
- 17 (1) 30.10.170-Santa Clara Unit Headquarters: Re-
18 place Facility—Preliminary plans, working
19 drawings, and construction
- 20 (2) 30.10.210-San Mateo/Santa Cruz Unit Headquar-
21 ters: Relocate Automotive Shop—Preliminary
22 plans, working drawings, and construction
- 23 (2.5) 30.10.265-North Region Forest Fire Station
24 Facilities—Construction
- 25 (3) 30.20.007-Vina Helitack Base: Replace Facili-
26 ty—Preliminary plans, working drawings, and
27 construction
- 28 (4) 30.20.015-Garden Valley Forest Fire Station:
29 Replace Facility—Preliminary plans, working
30 drawings, and construction
- 31 (4.5) 30.20.135-Intermountain Conservation Camp:
32 Replace Facility—Preliminary plans, working
33 drawings, and construction
- 34 (5) 30.20.205-Higgins Corner Forest Fire Station:
35 Replace Facility—Acquisition, preliminary plans,
36 working drawings, and construction
- 37 (6) 30.20.240-Siskiyou Unit Headquarters: Replace
38 Facility—Preliminary plans ,working drawings,
39 and construction

- (8) 30.30.160-South Operations Area Headquarters:
Relocate Facility—Acquisition, working drawings,
and construction
- (9) 30.30.195-Miramonte Conservation Camp: Re-
place Facility—Construction
- (10) 30.40.185-Madera-Mariposa-Merced Unit
Headquarters: Replace Facility—Preliminary
plans, working drawings, and construction
- (11) 30.40.225-Altaville Forest Fire Station: Replace
Automotive Shop—Working drawings and con-
struction

Provisions:

1. Notwithstanding Section 1.80, the funds reappropri-
ated in this item shall be available for expenditure
during the 2009–10 and 2010–11 fiscal years, except
appropriations for acquisitions which shall be avail-
able for expenditure until June 30, 2012, and appro-
priations for construction which shall be available for
expenditure until June 30, 2014. In addition, the bal-
ance of funds appropriated for construction that have
not been allocated, through fund transfer or approval
to bid, by the Department of Finance on or before June
30, 2012, shall revert as of that date to the fund from
which the appropriation was made.

*SEC. 195. Item 3600-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3600-001-0001—For support of Department of Fish and Game.....	74,831,000
	40,431,000
Schedule:	
(1) 20-Biodiversity Conservation Pro- gram.....	162,715,000
	147,698,000
(2) 25-Hunting, Fishing, and Public Use....	73,124,000
	76,597,000
(3) 30-Management of Department Lands and Facilities.....	51,119,000
	59,664,000

1	(4) 40-Enforcement.....	68,096,000
2		67,119,000
3	(4.5) 45-Communication, Education, and	
4	Outreach.....	4,771,000
5		4,630,000
6	(5) 50-Spill Prevention and Response.....	33,584,000
7		36,276,000
8	(5.5) 61-Fish and Game Commission.....	1,380,000
9	(6) 70.01-Administration.....	43,606,000
10		44,713,000
11	(7) 70.02-Distributed Administration.....	-43,606,000
12		-44,713,000
13	(8) Reimbursements.....	-44,290,000
14		-58,814,000
15	(9) Amount payable from the Safe Neigh-	
16	borhood Parks, Clean Water, Clean Air,	
17	and Coastal Protection Bond Fund (Item	
18	3600-001-0005).....	-1,042,000
19		-500,000
20	(10) Amount payable from the California	
21	Environmental License Plate Fund	
22	(Item 3600-001-0140).....	-14,747,000
23	(11) Amount payable from the Fish and	
24	Game Preservation Fund (Item 3600-	
25	001-0200).....	-98,880,000
26		-129,621,000
27	(12) Amount payable from the Fish and	
28	Wildlife Pollution Account (Item 3600-	
29	001-0207).....	-2,732,000
30	(13) Amount payable from the California	
31	Waterfowl Habitat Preservation Ac-	
32	count, Fish and Game Preservation	
33	Fund (Item 3600-001-0211).....	-241,000
34	(14) Amount payable from the Marine Inva-	
35	sive Species Control Fund (Item 3600-	
36	001-0212).....	-1,322,000

1	(15) Amount payable from the Public Re-	
2	sources Account, Cigarette and Tobacco	
3	Products Surtax Fund (Item 3600-001-	
4	0235).....	-2,467,000
5		-2,105,000
6	(16) Amount payable from the Oil Spill	
7	Prevention and Administration Fund	
8	(Item 3600-001-0320).....	-24,675,000
9		-25,555,000
10	(17) Amount payable from the Environmen-	
11	tal Enhancement Fund (Item 3600-001-	
12	0322).....	-348,000
13	(18) Amount payable from the Central Val-	
14	ley Project Improvement Subaccount	
15	(Item 3600-001-0404).....	-58,000
16		0
17	(18.5) Amount payable from the Harbors	
18	and Watercraft Revolving Fund (Item	
19	3600-001-0516).....	-2,176,000
20	(19) Amount payable from the Federal	
21	Trust Fund (Item 3600-001-0890).....	-52,718,000
22	(20) Amount payable from the Special De-	
23	posit Fund (Item 3600-001-0942).....	-1,604,000
24	(21) Amount payable from the Hatchery	
25	and Inland Fisheries Fund (Item 3600-	
26	001-3103).....	-20,586,000
27	(21.5) <i>Amount payable from the Alternative</i>	
28	<i>and Renewable Fuel and Vehicle</i>	
29	<i>Technology Fund (Item 3600-001-</i>	
30	<i>3117).....</i>	-900,000
31	(24) Amount payable from the Interim Water	
32	Supply and Water Quality Infrastructure	
33	and Management Subaccount (Item	
34	3600-001-6027).....	-2,193,000
35	(26) Amount payable from the Safe Drink-	
36	ing Water, Water Quality and Supply,	
37	Flood Control, River and Coastal Pro-	
38	tection Fund of 2006 (Item 3600-001-	
39	6051).....	-41,561,000
40		-28,453,000

(27) Amount payable from the Salton Sea
Restoration Fund (Item 3600-001-
8018)..... -8,179,000

(28) Amount payable from the California
Sea Otter Fund (Item 3600-001-
8047)..... -139,000

Provisions:

1. The funds appropriated in this item may be increased with the approval of, and under the conditions set by, the Department of Finance to meet current obligations proposed to be funded in Schedules (8) and (19). The funds appropriated in this item shall not be increased until the Department of Fish and Game has a valid contract, signed by the client agency, that provides sufficient funds to finance the increased authorization. This increased authorization may not be used to expand services or create new obligations.

Reimbursements received under Schedules (8) and (19) shall be used in repayment of any funds used to meet current obligations pursuant to this provision.

2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall continue only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in *Natural Resources Defense Council v. Rodgers* (2005) 381 F.Supp.2d 1212.

3. Of the funds appropriated in this item, \$1,000,000 shall be used for implementation of Chapter 685 of the Statutes of 2005.

SEC. 196. Item 3600-001-0005 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-001-0005—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... ~~1,042,000~~
500,000

1
2 *SEC. 197. Item 3600-001-0200 of Section 2.00 of the Budget*
3 *Act of 2009 is amended to read:*

4
5 3600-001-0200—For support of Department of Fish and Game,
6 for payment to Item 3600-001-0001, payable from the Fish
7 and Game Preservation Fund..... 98,880,000
8 129,621,000

9 *Provisions:*

10 1. *The Department of Fish and Game shall notify the*
11 *Joint Legislative Budget Committee and the fiscal and*
12 *appropriate policy committees of each house of the*
13 *Legislature if the use of the funds appropriated in this*
14 *item results in the loss of federal funds.*

15
16 *SEC. 198. Item 3600-001-0235 of Section 2.00 of the Budget*
17 *Act of 2009 is amended to read:*

18
19 3600-001-0235—For support of Department of Fish and Game,
20 for payment to Item 3600-001-0001, payable from the
21 Public Resources Account, Cigarette and Tobacco Products
22 Surtax Fund..... 2,467,000
23 2,105,000

24
25 *SEC. 199. Item 3600-001-0320 of Section 2.00 of the Budget*
26 *Act of 2009 is amended to read:*

27
28 3600-001-0320—For support of Department of Fish and Game,
29 for payment to Item 3600-001-0001, payable from the Oil
30 Spill Prevention and Administration Fund..... 24,675,000
31 25,555,000

32
33 *SEC. 200. Item 3600-001-0404 of Section 2.00 of the Budget*
34 *Act of 2009 is repealed.*

35
36 ~~3600-001-0404—For support of Department of Fish and Game,~~
37 ~~for payment to Item 3600-001-0001, payable from the~~
38 ~~Central Valley Project Improvement Subaccount..... 58,000~~
39

SEC. 201. Item 3600-001-3117 is added to Section 2.00 of the Budget Act of 2009, to read:

3600-001-3117—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Alternative and Renewable Fuel and Vehicle Technology Fund..... 900,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Fish and Game may use moneys in the Alternative and Renewable Fuel and Vehicle Technology Fund to retrofit diesel vehicles to comply with regulations of the State Air Resources Board.

SEC. 202. Item 3600-001-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-001-6051—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... ~~41,561,000~~
28,453,000

Provisions:

1. The additional sum of \$22,022,000 is hereby appropriated from subdivision (a) of Section 75050 of the Public Resources Code for the Ecosystem Restoration Program upon the signing into law of a new Bay-Delta governance structure.
2. Of the funds appropriated in this item, a minimum of \$8,914,000 shall be used for development of the Bay-Delta Conservation Plan.

SEC. 203. Item 3600-101-0320 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-101-0320—For local assistance, Department of Fish and Game, Program 50-Spill Prevention and Response, payable from the Oil Spill Prevention and Administration Fund.... ~~2,221,000~~
1,341,000

1 SEC. 204. Item 3600-101-0516 is added to Section 2.00 of the
2 Budget Act of 2009, to read:

3
4 3600-101-0516—For local assistance, Department of Fish and
5 Game, payable from the Harbors and Watercraft Revolving
6 Fund..... 250,000
7 Provisions:
8 1. Notwithstanding any other provision of law, the
9 amount appropriated in this item shall be used by the
10 San Francisco Bay area multicounty response effort
11 for a regional inspection pilot program to identify and
12 control quagga mussel infestations.

13
14 SEC. 205. Item 3600-497 is added to Section 2.00 of the Budget
15 Act of 2009, to read:

16
17 3600-497—Reversion, Department of Fish and Game. As of
18 June 30, 2009, the balances specified below of the appro-
19 priations provided in the following citations shall revert
20 to the funds from which the appropriations were made:
21 6031—Water Security, Clean Drinking Water, Coastal and
22 Beach Protection Fund of 2002
23 (1) Item 3600-001-6031, Budget Act of 2007
24 (Chs. 171 and 172, Stats. 2007)..... 2,773,000
25 (2) Item 3600-001-6031, Budget Act of 2008
26 (Chs. 268 and 269, Stats. 2008)..... 7,227,000
27

28 SEC. 206. Item 3640-491 is added to Section 2.00 of the Budget
29 Act of 2009, to read:

30
31 3640-491—Reappropriation, Wildlife Conservation Board. The
32 balances of the appropriations provided in the following
33 citations are reappropriated for the purposes provided for
34 in those appropriations and shall be available for encum-
35 brance or expenditure as specified below:
36 0262—Habitat Conservation Fund
37 (1) Item 3640-301-0262, Budget Act of 2006 (Chs. 47 and
38 48, Stats. 2006)
39 (1) 80.10-Wildlife Conservation Board Projects
40 (Unscheduled) until June 30, 2012

0447—Wildlife Restoration Fund

(1) Item 3640-301-0447, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 80.10.010-Minor Projects until June 30, 2010

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3640-311-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), until June 30, 2012

SEC. 207. Item 3640-492 is added to Section 2.00 of the Budget Act of 2009, to read:

3640-492—Reappropriation, Wildlife Conservation Board. Notwithstanding any other provision of law, the period to liquidate encumbrances in the following citations is extended until June 30, 2011:

0262—Habitat Conservation Fund

(1) Item 3640-301-0262, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 80.10-Wildlife Conservation Board Projects (Unscheduled)

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3640-311-6031, Budget Act of 2004 (Ch. 208, Stats. 2004)

SEC. 208. Item 3640-495 is added to Section 2.00 of the Budget Act of 2009, to read:

3640-495—Reversion, Wildlife Conservation Board. As of June 30, 2009, the amounts specified below of the appropriations provided for in the following citations shall revert to the funds from which the appropriations were made:

0001—General Fund

(1) \$1,535,000 from Item 3640-301-0001, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

SEC. 209. Item 3680-001-0516 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	3680-001-0516—For support of Department of Boating and	
2	Waterways, payable from the Harbors and Watercraft	
3	Revolving Fund.....	18,123,000
4		<i>17,123,000</i>
5	Schedule:	
6	(1) 10-Boating Facilities.....	16,750,000
7		<i>16,050,000</i>
8	(2) 20-Boating Operations.....	9,140,000
9		<i>8,840,000</i>
10	(3) 30-Beach Erosion Control.....	342,000
11	(4) 40.01-Administration.....	2,496,000
12		<i>2,296,000</i>
13	(5) 40.02-Distributed Administration.....	-2,496,000
14		<i>-2,296,000</i>
15	(6) Reimbursements.....	-15,000
16	(7) Amount payable from the Federal Trust	
17	Fund (Item 3680-001-0890).....	-7,993,000
18	(8) Less funding provided by capital out-	
19	lay.....	-101,000
20	Provisions:	
21	1. Notwithstanding Section 85.2 of the Harbors and	
22	Navigation Code, \$342,000 of the funds appropriated	
23	in this item shall be expended for support of the Beach	
24	Erosion Control program.	

26 *SEC. 210. Item 3680-011-0516 is added to Section 2.00 of the*
 27 *Budget Act of 2009, to read:*

29	3680-011-0516—For transfer by the Controller, upon order of	
30	the Director of Finance, from the Harbors and Watercraft	
31	Revolving Fund to the General Fund.....	<i>(5,000,000)</i>
32	Provisions:	
33	1. The amount transferred in this item is a loan to the	
34	General Fund.	

36 *SEC. 211. Item 3680-101-0516 of Section 2.00 of the Budget*
 37 *Act of 2009 is amended to read:*

1	3680-101-0516—For local assistance, Department of Boating	
2	and Waterways, payable from the Harbors and Watercraft	
3	Revolving Fund.....	30,600,000
4	Schedule:	
5	(1) 10-Boating Facilities.....	22,943,000
6		<i>24,193,000</i>
7	(a) Launching Facility Grants.....	(3,727,000)
8	(1) Balls Ferry BLF.....	(631,000)
9	(2) Black Point BLF.....	(506,000)
10	(3) El Dorado Beach	
11	BLF.....	(420,000)
12	(4) Floating Restrooms.....	(500,000)
13	(5) Non-Motorized Boat	
14	Launching Facili-	
15	ties.....	(100,000)
16	(6) Ramp Repair & Modi-	
17	fication.....	(550,000)
18	(7) Signs.....	(20,000)
19	(8) Reimbursement	
20	Grants.....	(1,000,000)
21	(b) Public Small Craft Harbor	
22	Loans.....	(13,773,000)
23	(1) Coyote Point Mari-	
24	na.....	(1,966,000)
25	(2) Santa Barbara Har-	
26	bor.....	(4,812,000)
27	(3) San Francisco Mari-	
28	na—West Harbor.....	(6,995,000)
29	(c) Private Loans.....	(3,500,000)
30	(d) Clean Vessel Act Grant Program....	(843,000)
31	(e) Boating Trails.....	(1,000,000)
32	(f) Boating Infrastructure Grant Pro-	
33	gram.....	(100,000)
34		<i>1,350,000</i>
35	(2) 20-Boating Operations.....	13,600,000
36	(3) 30-Beach Erosion Control.....	8,350,000
37		<i>12,550,000</i>
38	(4) Reimbursements.....	-1,350,000

- 1 (5) Amount payable from the Abandoned
 2 Watercraft Abatement Fund (Item 3680-
 3 101-0577)..... -500,000
 4 (6) Amount payable from the Federal Trust
 5 Fund (Item 3680-101-0890)..... ~~-4,443,000~~
 6 -5,693,000
 7 (7) Amount payable from the Public Beach
 8 Restoration Fund (Item 3680-101-
 9 3001)..... ~~-8,000,000~~
 10 -12,200,000

11 Provisions:

- 12 1. Of the funds appropriated in Schedule (2), Program
 13 20-Boating Operations, \$10,600,000 is for boating
 14 safety and enforcement programs pursuant to Section
 15 663.7 of the Harbors and Navigation Code.

16
 17 *SEC. 212. Item 3680-101-0890 of Section 2.00 of the Budget*
 18 *Act of 2009 is amended to read:*

19
 20 3680-101-0890—For local assistance, Department of Boating
 21 and Waterways, for payment to Item 3680-101-0516,
 22 payable from the Federal Trust Fund..... ~~4,443,000~~
 23 5,693,000

24 Provisions:

- 25 1. Of the amount appropriated in this item, \$2,500,000
 26 shall be for grants to local governments for boating
 27 safety and law enforcement, 15 percent of which shall
 28 be allocated according to the ~~department's~~ *Department*
 29 *of Boating and Waterways'* discretion, and 85 percent
 30 of which shall be allocated by the department in accor-
 31 dance with the following priorities:

32 First—To local governments that are eligible for
 33 state aid because they are spending all their local
 34 boating revenue on boating enforcement and safety,
 35 but are not receiving sufficient state funds to meet
 36 their need as calculated pursuant to Section 663.7 of
 37 the Harbors and Navigation Code.

38 Second—To local governments that are not spend-
 39 ing all local boating revenue on boating enforcement
 40 and safety, and whose boating revenue does not equal

their calculated need. Local assistance shall not exceed the difference between the calculated need and local boating revenue.

Third—To local governments whose boating revenue exceeds their need, but who are not spending sufficient local revenue to meet their calculated need.

SEC. 213. Item 3680-101-3001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3680-101-3001—For local assistance, Department of Boating and Waterways, for payment to Item 3680-101-0516, payable from the Public Beach Restoration Fund.....	8,000,000
	12,200,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2012.

SEC. 214. Item 3680-301-0516 of Section 2.00 of the Budget Act of 2009 is repealed.

3680-301-0516—For capital outlay, Department of Boating and Waterways, payable from the Harbors and Watercraft Revolving Fund.....	4,110,000
--	-----------

Schedule:

- | | |
|-------------------------------------|-----------|
| (1) 50.99.010-Project Planning..... | 90,000 |
| (2) 50.99.020-Minor Projects..... | 4,020,000 |

Provisions:

1. Funds appropriated in Schedule (1) of this item are available for expenditure by the Department of Boating and Waterways upon approval of the Department of Finance to be used to develop design information or cost information for new construction projects for which funds have not been appropriated previously but which are anticipated to be included in the Governor's Budget for the 2010-11 or 2011-12 fiscal year.
2. Notwithstanding any other provision of law, the funds appropriated in Schedule (2) of this item may be used for emergency repairs.

1
2 *SEC. 215. Item 3760-001-0140 of Section 2.00 of the Budget*
3 *Act of 2009 is amended to read:*

4
5 3760-001-0140—For support of State Coastal Conservancy,
6 for payment to Item 3760-001-0565, payable from the
7 California Environmental License Plate Fund..... ~~1,168,000~~
8 *1,425,000*
9

10 *SEC. 216. Item 3760-001-0565 of Section 2.00 of the Budget*
11 *Act of 2009 is amended to read:*

12
13 3760-001-0565—For support of State Coastal Conservancy,
14 payable from the State Coastal Conservancy Fund..... 3,193,000
15 Schedule:
16 (1) 15-Coastal Resource Development..... 4,505,000
17 (2) 25-Coastal Resource Enhancement..... ~~6,743,000~~
18 *7,000,000*
19 (3) 90.01-Administration and Support..... 3,749,000
20 (4) 90.02-Distributed Administration..... -3,749,000
21 (5) Reimbursements..... -382,000
22 (6) Amount payable from the Safe Neighbor-
23 hood Parks, Clean Water, Clean Air,
24 and Coastal Protection Bond Fund (Item
25 3760-001-0005)..... -1,551,000
26 (7) Amount payable from the California
27 Environmental License Plate Fund (Item
28 3760-001-0140)..... ~~-1,168,000~~
29 *-1,425,000*
30 (8) Amount payable from the Federal Trust
31 Fund (Item 3760-001-0890)..... -135,000
32 (9) Amount payable from the San Francisco
33 Bay Area Conservancy Program Ac-
34 count, State Coastal Conservancy Fund
35 (Item 3760-001-0316)..... -470,000
36 (10) Amount payable from the California
37 Clean Water, Clean Air, Safe Neighbor-
38 hood Parks, and Coastal Protection
39 Fund (Item 3760-001-6029)..... -2,068,000

(11) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3760-001-6031).....	-736,000
(12) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3760-001-6051).....	-1,167,000
(13) Amount payable from California Ocean Protection Trust Fund (Item 3760-001-6076).....	-250,000
(14) Amount payable from the California Sea Otter Fund (Item 3760-001-8047).....	-128,000

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the State Coastal Conservancy may borrow sufficient funds from the State Coastal Conservancy Fund to meet cashflow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision may be made only if the State Coastal Conservancy has a valid contract or certification signed by the agency providing the reimbursements, which demonstrates that sufficient funds will be available to repay the loan. All moneys so transferred shall be repaid to the State Coastal Conservancy Fund as soon as possible, but not later than one year from the date of the loan.
2. Of the funds appropriated by this act from the General Fund, special funds, or bond funds to the State Coastal Conservancy for local assistance or capital outlay, upon approval of the Department of Finance, the conservancy may allocate an amount not to exceed 1.5 percent of each project's allocation to provide for the department's costs to administer the projects.

SEC. 217. Item 3760-301-0262 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	3760-301-0262—For capital outlay, State Coastal Conservancy,	
2	payable from the Habitat Conservation Fund.....	4,000,000
3	Schedule:	
4	(1) 80.93.025-Coastal Resource Enhance-	
5	ment.....	4,000,000
6		6,000,000
7	(2) <i>Reimbursements</i>	-2,000,000
8	Provisions:	
9	1. (a) The State Coastal Conservancy shall not enter	
10	into a grant contract with a nonprofit organization	
11	or local government for property acquisition un-	
12	less the grant contract provides a reversionary	
13	interest to the state that specifies that the property	
14	shall not revert to the state without review and	
15	approval by the State Coastal Conservancy and	
16	the State Public Works Board.	
17	(b) The State Coastal Conservancy shall not enter	
18	into a grant contract with a nonprofit organization	
19	or local government for property acquisition that	
20	provides for a state leasehold interest in property	
21	acquired by a nonstate public agency with grant	
22	funds of the State Coastal Conservancy unless the	
23	Director of General Services approves the lease	
24	terms.	
25	(c) Except for the above, the expenditures of funds	
26	for grants to nonstate public agencies and nonprof-	
27	it organizations shall be exempt from State Public	
28	Works Board review.	
29	2. The funds appropriated in this item are available for	
30	encumbrance for either capital outlay or local assis-	
31	tance without regard to fiscal year.	
32	3. Notwithstanding any other provision of law, upon ap-	
33	proval and order of the Department of Finance, the	
34	State Coastal Conservancy may borrow sufficient	
35	funds from the State Coastal Conservancy Fund to	
36	meet cashflow needs due to delays in collecting reim-	
37	bursements. Any loan made by the Department of Fi-	
38	nance pursuant to this provision may be made only if	
39	the State Coastal Conservancy has a valid contract or	
40	certification signed by the agency providing the reim-	

bursements, which demonstrates that sufficient funds will be available to repay the loan. All moneys so transferred shall be repaid to the State Coastal Conservancy Fund as soon as possible, but not later than one year from the date of the loan.

4. Funds appropriated in this item are in lieu of the amount that otherwise would have been appropriated for the ~~department~~ *State Coastal Conservancy*, pursuant to *subdivision (b) of Section 2787(b)* 2787 of the Fish and Game Code.

SEC. 218. Item 3760-301-0371 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-0371—For capital outlay, State Coastal Conservancy, payable from the California Beach and Coastal Enhancement Account, California Environmental License Plate Fund..... 400,000

Schedule:

(1) 80.00.020-Public Access.....	400,000
	1,400,000
(2) <i>Reimbursements</i>	-1,000,000

Provisions:

1. (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
- (b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

(c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2012.

SEC. 219. Item 3760-301-0593 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-0593—For capital outlay, State Coastal Conservancy, payable from the Coastal Access Account, State Coastal Conservancy Fund..... 500,000

Schedule:

(1) 80.00.020-Public Access..... ~~500,000~~

1,500,000

(2) *Reimbursements*..... -1,000,000

Provisions:

1. (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.

- (b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

- (c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2012.

SEC. 220. Item 3760-301-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-6051—For capital outlay, State Coastal Conservancy, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection ~~Bond Act Fund~~ of 2006..... 78,317,000

Schedule:

(1) 80.97.030-Conservancy Programs.....	79,317,000
	81,317,000
(2) Reimbursements.....	-1,000,000
	-3,000,000

Provisions:

1. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance until June 30, 2012.
2. The funds appropriated in this item are conditioned upon all of the following:
 - (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
 - (b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.
 - (c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit

organizations is exempt from State Public Works
Board review.

*SEC. 221. Item 3760-301-6076 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3760-301-6076—For capital outlay, State Coastal Conservancy,
payable from the California Ocean Protection Trust
Fund..... 26,750,000

Schedule:

(1) 80.07.070-Ocean Protection Council....	27,550,000
	27,750,000
(2) Reimbursements.....	-800,000
	-1,000,000

Provisions:

1. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance until June 30, 2012.
2. The funds appropriated in this item are conditioned upon all of the following:
 - (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
 - (b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.
 - (c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

3. *Of the funds provided in this item for the Ocean Protection Council, \$4,400,000 shall be allocated to the Department of Fish and Game for state operations through an interagency agreement for the purpose of Marine Life Protection Act implementation.*

SEC. 222. Item 3760-495 is added to Section 2.00 of the Budget Act of 2009, to read:

3760-495—Reversion, State Coastal Conservancy. As of June 30, 2009, the amounts specified below of the appropriations provided in the following citations shall revert to the funds from which the appropriations were made:

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3760-301-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

<i>(1) 80.97.030-Conservancy</i>	<i>Pro-</i>
<i>grams.....</i>	<i>500,000</i>

SEC. 223. Item 3790-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

<i>3790-001-0001—For support of Department of Parks and</i>	
<i>Recreation.....</i>	<i>143,408,000</i>
	<i>133,988,000</i>

Schedule:

- | | |
|---|-------------------------------|
| <i>(1) For support of the Department of Parks</i> | |
| <i>and Recreation.....</i> | <i>438,089,000</i> |
| | <i>428,717,000</i> |
| <i>(2) Reimbursements.....</i> | <i>—45,744,000</i> |
| <i>(3) Less funding provided by capital out-</i> | |
| <i>lay.....</i> | <i>—4,000,000</i> |
| <i>(4) Amount payable from the Safe Neigh-</i> | |
| <i>borhood Parks, Clean Water, Clean Air,</i> | |
| <i>and Coastal Protection Bond Fund (Item</i> | |
| <i>3790-001-0005).....</i> | <i>—5,179,000</i> |
| <i>(5) Amount payable from the California</i> | |
| <i>Environmental License Plate Fund (Item</i> | |
| <i>3790-001-0140).....</i> | <i>—3,113,000</i> |

1	(6) Amount payable from the Public Re-	
2	sources Account, Cigarette and Tobacco	
3	Products Surtax Fund (Item 3790-001-	
4	0235).....	-9,699,000
5		-8,445,000
6	(7) Amount payable from the Off-Highway	
7	Vehicle Trust Fund (Item 3790-001-	
8	0263).....	-54,940,000
9		-54,607,000
10	(8) Amount payable from the State Parks	
11	and Recreation Fund (Item 3790-001-	
12	0392).....	-125,889,000
13	(9) Amount payable from the Winter	
14	Recreation Fund (Item 3790-001-	
15	0449).....	-364,000
16	(10) Amount payable from the Harbors and	
17	Watercraft Revolving Fund (Item 3790-	
18	001-0516).....	-1,263,000
19	(11) Amount payable from the Federal Trust	
20	Fund (Item 3790-001-0890).....	-6,488,000
21	(11.5) Amount payable from the Alternative	
22	and Renewable Fuel and Vehicle	
23	Technology Fund (Item 3790-001-	
24	3117)	-1,635,000
25	(12) Amount payable from the California	
26	Main Street Program Fund (Item 3790-	
27	001-3077).....	-175,000
28	(13) Amount payable from the California	
29	Clean Water, Clean Air, Safe Neighbor-	
30	hood Parks, and Coastal Protection	
31	Fund (Item 3790-001-6029).....	-4,663,000
32	(14) Amount payable from the Water Secu-	
33	rity, Clean Drinking Water, Coastal and	
34	Beach Protection Fund of 2002 (Item	
35	3790-001-6031).....	-445,000
36	(15) Amount payable from Safe Drinking	
37	Water, Water Quality and Supply,	
38	Flood Control, River and Coastal Pro-	
39	tection Fund of 2006 (Item 3790-001-	
40	6051).....	-32,501,000

- 1 (16) Amount payable from Safe Drinking
- 2 Water, Water Quality and Supply,
- 3 Flood Control, River and Coastal Pro-
- 4 tection Fund of 2006 (Item 3790-002-
- 5 6051)..... -4,000
- 6 (17) Amount payable from Disaster Prepared-
- 7 ness and Flood Prevention Bond Fund
- 8 of 2006 (Item 3790-001-6052)..... -214,000
- 9 Provisions:
- 10 1. Of the funds appropriated by this act from the General
- 11 Fund and special funds, other than the Off-Highway
- 12 Vehicle Trust Fund and bond funds, to the Department
- 13 of Parks and Recreation for local assistance grants to
- 14 local agencies, the department may allocate an amount
- 15 not to exceed 3.7 percent of each project's allocation,
- 16 except to the extent otherwise restricted by law, to al-
- 17 low the department to administer its grants. Those
- 18 funds shall be available for encumbrance or expendi-
- 19 ture until June 30, 2015.
- 20 2. It is the intent of the Legislature that salaries, wages,
- 21 operating expenses, and positions associated with im-
- 22 plementing specific Department of Parks and Recre-
- 23 ation capital outlay projects continue to be funded
- 24 through capital outlay appropriations, and that these
- 25 funds should also be reflected in the department's state
- 26 operations budget in the Governor's Budget as a spe-
- 27 cial item of expense reflecting the funding provided
- 28 from the capital outlay appropriations.
- 29 3. Notwithstanding any other provision of law, the Direc-
- 30 tor of Finance may authorize a loan from the General
- 31 Fund, in an amount not to exceed 35 percent of reim-
- 32 bursements appropriated in this item to the Department
- 33 of Parks and Recreation, provided that:
- 34 (a) The loan is to meet cash needs resulting from the
- 35 delay in receipt of reimbursements for services
- 36 provided.
- 37 (b) The loan is for a short term and shall be repaid
- 38 by September 30, 2010.

(c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.

(d) The Director of Finance may not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time that the chairperson of the joint committee, or his or her designee, may determine.

4. The Department of Parks and Recreation is authorized to enter into a contract for fee collection and other services required by the department with a cooperative association that has and will continue to fund state employees on an ongoing basis.

5. Of the amount appropriated in Schedule (2), \$11,300,000 shall be available for encumbrance or expenditure until June 30, 2011.

6. Of the amount appropriated in Schedule (15), \$15,725,000 shall be available for encumbrance or expenditure until June 30, 2011.

7. *Of the amount appropriated in Schedule (15), \$8,000,000 shall be available for encumbrance or expenditure for the purposes of implementing the Department of Parks and Recreation's multiyear plan to comply with the Americans with Disabilities Act until June 30, 2012.*

SEC. 224. Item 3790-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-001-0235—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund.....	9,699,000
	8,445,000

SEC. 225. Item 3790-001-0263 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-001-0263—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Off-Highway Vehicle Trust Fund..... 54,940,000
54,607,000

SEC. 226. Item 3790-001-3117 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-001-3117—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Alternative and Renewable Fuel and Vehicle Technology Fund..... 1,635,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Parks and Recreation may use Alternative and Renewable Fuel and Vehicle Technology Funds to retrofit diesel vehicles to comply with State Air Resources Board regulations.

SEC. 227. Item 3790-011-0263 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-011-0263—For transfer by the Controller, upon order of the Director of Finance, from the Off-Highway Vehicle Trust Fund to the General Fund..... (22,000,000)

Provisions:

1. The amount transferred in this item is a loan to the General Fund.

SEC. 228. Item 3790-101-0005 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-101-0005—For local assistance, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... 39,795,000

Schedule:

(1) 80.25-Recreational Grants.....	39,795,000
(a) Competitive Grants (Non-project specific).....	(40,000)
(1) Non-motorized Trails Grants.....	(40,000)
(a) San Dieguito Riv- er Park Joint Powers Authori- ty.....	(40,000)
(b) Soccer and Baseball Fields.....	(375,000)
(1) City of Los Angeles: Boyle Heights Sports Center for devel- opment of sports fields, both soccer and baseball.....	(300,000)
(2) City of Montclair: Soccer Park.....	(75,000)
(c) Per Capita.....	(371,000)
(1) County of San Diego: Otay Valley Regional Park.....	(371,000)
(d) Roberti-Z'berg-Harris.....	(38,269,000)
(e) Zoos and Aquariums.....	(740,000)

Provisions:

1. The amounts displayed in this item represent the balances as of December 31, 2008. The Director of Finance may adjust these amounts to the extent indicated by reports of past expenditures identified and made prior to June 30, 2009.
2. Funds available in Schedule (1)(a) shall be allocated consistent with the balance available at time of reversion of Schedule (a)(1)(c) of Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the Competitive Grants (Non-project specific) at the time of the original appropriation.
3. Funds available in Schedule (1)(b)(1) shall be allocated consistent with the balance available at time of reversion of Schedule (a)(6c)(r) of Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), and as reap-

appropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the regional youth soccer and baseball facilities at the time of the original appropriation.

4. Funds available in Schedule (1)(b)(2) shall be allocated consistent with the balance available at time of reversion of Schedule (3)(b) of Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), and allocated pursuant to the provisions of the regional youth soccer and baseball facilities at the time of the original appropriation.
5. Funds available in Schedule (1)(c) shall be allocated consistent with the balance available at time of reversion of Item 3790-103-0005 Grants (per capita), Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the per capita grants at the time of the original appropriation.
6. Funds available in Schedule (1)(d) shall be allocated consistent with balances available at time of reversion of Schedule (1)(b) of Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), and were allocated pursuant to the Roberti-Z'berg-Harris Urban-Open Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620) of Division 5 of the Public Resources Code) at the time of the original appropriation.
7. Funds available in Schedule (1)(e) shall be allocated consistent with balances available at time of reversion of Schedule (1)(d) of Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), and were allocated pursuant to the provisions of the grants for zoos and aquariums at the time of the original appropriation.

SEC. 229. Item 3790-301-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	3790-301-6051—For capital outlay, Department of Parks and	
2	Recreation, payable from the Safe Drinking Water, Water	
3	Quality and Supply, Flood Control, River and Coastal	
4	Protection Fund of 2006.....	23,270,000
5	Schedule:	
6	(1) 90.64.101-Eastshore SP: Brickyard	
7	Cove Development—Working draw-	
8	ings.....	833,000
9	(2) 90.6F.104-Angel Island SP: Immigration	
10	Station Hospital Rehabilitation—Prelim-	
11	inary plans.....	309,000
12	(3) 90.8G.104-Marshall Gold Discovery	
13	SHP: Park Improvements—Working	
14	drawings.....	735,000
15	(4) 90.8Y.101-Grover Hot Springs SP:	
16	Renovate Pool Complex—Preliminary	
17	plans.....	531,000
18	(5) 90.CT.100-Fort Ord Dunes SP: New	
19	Campground and Beach Access—Pre-	
20	liminary plans.....	1,198,000
21	(6) 90.EF.101-El Capitan SB: Construct	
22	New Lifeguard Headquarters—Prelimi-	
23	nary plans.....	591,000
24	(7) 90.FO.102-Leo Carrillo SP: Steelhead	
25	Trout Barrier Removal—Preliminary	
26	plans and working drawings.....	380,000
27	(8) 90.GG.102-Silverwood Lake SRA: Na-	
28	ture Center Exhibits—Preliminary plans	
29	and working drawings.....	380,000
30	(9) 90.H6.102-Cuyamaca Rancho SP:	
31	Equestrian Facilities—Construction.....	3,031,000
32	(10) 90.IJ.103-Old Town San Diego SHP:	
33	Building Demolition and Immediate	
34	Public Use Facilities—Preliminary	
35	plans.....	436,000
36	(11) 90.KZ.104-Los Angeles SHP: Site De-	
37	velopment/Planning and Phase I Build	
38	Out—Working drawings.....	3,355,000

(12) 90.RS.224-Statewide: State Park Sys-	
tem Acquisition Program—Acquisi-	
tion.....	8,000,000
(13) 90.RS.260-Statewide: Recreational	
Trails Program—Minors Program—Mi-	
nor Projects	433,000
(14) 90.RS.601-Statewide: Budget Develop-	
ment—Study Development—Studies....	300,000
(15) 90.RS.205-Statewide: State Park Sys-	
tem Minor Capital Outlay Program—	
Minors Program—Minor Projects	2,523,000
(16) 90.RS.235-Statewide: Volunteer En-	
hancement Program—Minors Pro-	
gram—Minor Projects	615,000
(17) 90.RS.810-Statewide: Capitol Outlay	
Projects—Acquisition, preliminary	
plans, working drawings, construction,	
and minor projects.....	3,000,000
(18) Reimbursement—Statewide: Capital	
Outlay Projects.....	–3,000,000
(19) Reimbursement—Leo Carrillo SP:	
Steelhead Trout Barrier Removal.....	–380,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2013, except appropriations for preliminary plans and working drawings, which shall be available for expenditure until June 30, 2011, and minor capital outlay and studies, which shall be available for expenditure until June 30, 2010. In addition, the balance of each appropriation made in this item that contains funding for construction that has not been allocated, through fund transfer or approval to proceed to bid, by the Department of Finance on or before June 30, 2010, shall revert as of that date to the fund from which the appropriation was made.

SEC. 230. Item 3790-490 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-490—Reappropriation, Department of Parks and Recreation. ~~The balances of the appropriations provided amounts specified in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2010 for the purposes and subject to the limitations, unless otherwise specified, provided for in the following appropriations:~~

0001—General Fund

(1) \$3,074,000 from Item 3790-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for support of the Department of Parks and Recreation

0263—Off-Highway Vehicle Trust Fund

(1) \$876,000 from Item 3790-001-0263, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for support of the Department of Parks and Recreation

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection—Bond Act Fund of 2006

Schedule:

(1) \$1,804,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for natural heritage stewardship projects:

(2) \$1,169,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for cultural stewardship projects:

(3) \$1,458,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for interpretive exhibit projects:

(4) \$1,907,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for statewide general planning projects:

SEC. 231. Item 3790-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-491—Reappropriation, Department of Parks and Recreation. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided in the following appropriations:

- 0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund
- (1) Item 3790-301-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3790-490, Budget Acts of 2001 (Ch. 106, Stats. 2001), 2003 (Ch. 157, Stats. 2003), and 2006 (Chs. 47 and 48, Stats. 2006)
 - (15) 90.CO.402-Henry W. Coe SP: Mount Hamilton—Acquisition
 - (20) 90.C9.100-Montana De Oro SP: Irish Hills—Acquisition
 - (2) Item 3790-301-0005, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3790-491, Budget Acts of 2004 (Ch. 208, Stats. 2004) and 2006 (Chs. 47 and 48, Stats. 2006), as reverted by Item 3790-496, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3790-495, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
 - (12) 90.2W.101-Prairie Creek Redwoods SP: Public Use Improvements—Construction
 - (3) Item 3790-301-0005, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3790-491, Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005), 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs. 268 and 269, Stats. 2008)
 - (.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda Adobe—Working drawings and construction
 - (.2) 90.E4.103-Chino Hills SP: Visitor Center—Construction and equipment
 - (1) 90.GI.101-Crystal Cove SP: El Morro Mobilehome Park Conversion—Construction
 - (5) Reimbursement—Crystal Cove State Park: El Morro Mobilehome Park Conversion

- 1 (4) *Item 3790-301-0005, Budget Act of 2005 (Chs. 38 and*
- 2 *39, Stats. 2005), as reappropriated by Item 3790-491,*
- 3 *Budget Acts of 2006 (Chs. 47 and 48, Stats. 2006),*
- 4 *2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs.*
- 5 *268 and 269, Stats. 2008)*
- 6 *(1.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda*
- 7 *Adobe—Construction*
- 8 *(1.2) 90.E4.103-Chino Hills SP: Visitor Center—Con-*
- 9 *struction*
- 10 (3) *90.I6.101-San Elijo State Beach: Replace Main*
- 11 *Lifeguard Tower—Preliminary plans and working*
- 12 *drawings*
- 13 (5) *Item 3790-301-0005, Budget Act of 2006 (Chs. 47 and*
- 14 *48, Stats. 2006), as reappropriated by Item 3790-491,*
- 15 *Budget Acts of 2007 (Chs. 171 and 172, Stats. 2007)*
- 16 *and 2008 (Chs. 268 and 269, Stats. 2008)*
- 17 (3) *90.I6.101-San Elijo SB: Replace Main Lifeguard*
- 18 *Tower—Construction and equipment*
- 19 (6) *Item 3790-301-0005, Budget Act of 2007 (Chs. 171*
- 20 *and 172, Stats. 2007), as reappropriated by Item 3790-*
- 21 *491, Budget Act of 2008 (Chs. 268 and 269, Stats.*
- 22 *2008)*
- 23 *(1.5) 90.I6.101-San Elijo SB: Replace Main Lifeguard*
- 24 *Tower—Construction*
- 25 (2) *90.RS.205-Statewide: State Park System—Minor*
- 26 *projects*
- 27 (7) *Item 3790-301-0005, Budget Act of 2008 (Chs. 268*
- 28 *and 269, Stats. 2008)*
- 29 (1) *90.RS.205-Statewide: State Park System—Minor*
- 30 *projects*
- 31 *0263—Off-Highway Vehicle Trust Fund*
- 32 (1) *Item 3790-301-0263, Budget Act of 2003 (Ch. 157,*
- 33 *Stats. 2003), as reappropriated by Item 3790-491,*
- 34 *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and*
- 35 *as reverted by Item 3790-495, Budget Act of 2007*
- 36 *(Chs. 171 and 172, Stats. 2007)*
- 37 (2.5) *90.RS.423-Statewide: OHV Park and Buffer*
- 38 *Acquisition Projects—Acquisition*
- 39 (2) *Item 3790-301-0263, Budget Act of 2006 (Chs. 47 and*
- 40 *48, Stats. 2006)*

- (2) 90.RS.405-Statewide OHV Opportunity Purchase/Budget Package/Schematic Planning—Acquisition and study
- (3) Item 3790-301-0263, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
 - (1) 90.A7.105-Prairie City SVRA: 4x4 Improvements—Preliminary plans and working drawings
 - (2) 90.7C.102-Oceano Dunes SVRA: Visitor Center and Storage—Preliminary plans
 - (4) 90.RS.206-Statewide: OHV Minor Projects
- 0890—Federal Trust Fund
 - (1) Item 3790-301-0890, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3790-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
 - (0.5) 90.I6.101-San Elijo SB: Replace Lifeguard Tower—Construction
- 6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund
 - (1) Item 3790-301-6029, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3790-491, Budget Acts of 2004 (Ch. 208, Stats. 2004) and 2006 (Chs. 47 and 48, Stats. 2006)
 - (2.5) 90.EC.103-Kenneth Hahn State Recreation Area: Vista Pacifica Visitor Center—Preliminary plans, working drawings, and construction
 - (10) 90.RS.224-Statewide: State Park System Acquisition Program—Acquisition
 - (18) 90.6C.101-Ano Nuevo State Reserve: Marine Education Center—Preliminary plans, working drawings, construction, and equipment
 - (24) Reimbursements: Ano Nuevo State Reserve: Marine Education Center
- (2) Item 3790-301-6029, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3790-491, Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005), 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs. 268 and 269, Stats. 2008), as reverted by Item 3790-496, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and as re-

- 1 *verted by item 3790-495, Budget Acts of 2006 (Chs.*
 2 *47 and 48, Stats. 2006) and 2007 (Chs. 171 and 172,*
 3 *Stats. 2007)*
 4 *(2.2) 90.E4.104-Chino Hills SP: Entrance Road and*
 5 *Facilities—Working drawings*
 6 *(2.6) 90.GY.101-Doheny State Beach: New Lifeguard*
 7 *Headquarters—Construction and equipment*
 8 *(5.1) 90.8D.102-Donner Memorial SP: New Visitor*
 9 *Center—Working drawings, construction, and*
 10 *equipment*
 11 *(5.7) Reimbursement—Donner Memorial SP: New*
 12 *Visitor Center*
 13 (3) *Item 3790-301-6029, Budget Act of 2005 (Chs. 38 and*
 14 *39, Stats. 2005), as reappropriated by Item 3790-491,*
 15 *Budget Acts of 2006 (Chs. 47 and 48, Stats. 2006),*
 16 *2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs.*
 17 *268 and 269, Stats. 2008), and as reverted by Item*
 18 *3790-495, Budget Act of 2007 (Chs. 171 and 172,*
 19 *Stats. 2007)*
 20 *(3) 90.E4.104-Chino Hills SP: Entrance Road and*
 21 *Facilities—Construction and equipment*
 22 *(4) 90.FW.101-Topanga State Park: Public Use Im-*
 23 *provements—Construction and equipment*
 24 *(7) 90.3I.101-Shasta State Historic Park: Southside*
 25 *Ruins Stabilization—Working drawings and con-*
 26 *struction*
 27 *(8) 90.6H.101-Samuel P. Taylor SP: Install New*
 28 *Concrete Reservoirs—Working drawings and*
 29 *construction*
 30 (4) *Item 3790-301-6029, Budget Act of 2006 (Chs. 47 and*
 31 *48, Stats. 2006), as reappropriated by Item 3790-491,*
 32 *Budget Acts of 2007 (Chs. 171 and 172, Stats. 2007)*
 33 *and 2008 (Chs. 268 and 269, Stats. 2008)*
 34 *(3.5) 90.8D.102-Donner Memorial SP: New Visitor*
 35 *Center—Working drawings and construction*
 36 *(3.8) Reimbursement—Donner Memorial SP: New*
 37 *Visitor Center*
 38 (5) *Item 3790-301-6029, Budget Act of 2007 (Chs. 171*
 39 *and 172, Stats. 2007), as reappropriated by Item 3790-*

- 491, *Budget Act of 2008* (Chs. 268 and 269, Stats. 2008)
- (1) 90.RS.810-Statewide: *Capital Outlay Projects—Acquisition, preliminary plans, construction, and minor projects*
- (3) *Reimbursements—Statewide Capital Outlay Projects*
- (6) *Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-491, Budget Acts of 2005* (Chs. 38 and 39, Stats. 2005), *2006* (Chs. 47 and 48, Stats. 2006), *2007* (Chs. 171 and 172, Stats. 2007), and *2008* (Chs. 268 and 269, Stats. 2008)
- (2) 90.8L.101-California Indian Museum—*Studies, preliminary plans, working drawings, and construction*
- 6051—*Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006*
- (1) *Item 3790-301-6051, Budget Act of 2007* (Chs. 171 and 172, Stats. 2007), as reappropriated by *Item 3790-491, Budget Act of 2008* (Chs. 268 and 269, Stats. 2008)
- (3.5) 90.KZ.104-Los Angeles State Historic Park (Cornfields): *Planning and Phase I Build Out—Preliminary plans*
- (5) 90.8I.101-Calaveras Big Trees State Park: *New Visitor Center—Working drawings, construction, and equipment*
- (6) *Reimbursements—Calaveras Big Trees State Park: New Visitor Center*
- (2) *Item 3790-301-6051, Budget Act of 2008* (Chs. 268 and 269, Stats. 2008)
- (3) 90.RS.260-Statewide: *Recreational Trails—Minor projects*
- (4) 90.RS.205-Statewide: *State Park System—Minor projects*
- (5) 90.RS.235-Statewide: *Volunteer Enhancement Program—Minor projects*
- (6) 90.RS.601-Statewide: *Budget Development—Studies*

SEC. 232. *Item 3790-492 is added to Section 2.00 of the Budget Act of 2009, to read:*

3790-492—Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of law, the period to liquidate encumbrances for the amounts specified in the following citations is extended as cited below:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) \$61,132 from Item 3790-001-0005, Budget Act of 2004 (Ch. 208, Stats. 2004), and reappropriated by Item 3790-492, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for support of the Department of Parks and Recreation until June 30, 2010.

(2) \$521,722 from Item 3790-001-0005, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for support of the Department of Parks and Recreation until June 30, 2010.

(3) \$422,207 from Item 3790-001-0005, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) \$394,850 from Item 3790-001-6029, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for support of the Department of Parks and Recreation until June 30, 2010.

(2) \$185,441 from Item 3790-001-6029, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 3790-490, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reappropriated by Item 3790-490 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.

(3) \$70,257 from Item 3790-001-6029, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.

6051—*Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006*
 (1) \$383,844 from Item 3790-001-6051, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.

SEC. 233. Item 3790-494 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-494—*Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of law, the period to liquidate encumbrances in the following citations is extended as cited below:*

0005—*Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund*

(1) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), until June 30, 2010

(1) 80.25-Recreational Grants

(a) Local Agencies Operating Park Units

(c) Murray-Hayden Urban Parks and Youth Services Program

(2) 80.30-Historic Preservation Grants

(a) California Heritage Program

(2) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Item 3790-492, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the City of Los Angeles, Department of Parks and Recreation for the Seoul International Park until June 30, 2011

(1) 80.25-Recreational Grants

(c) Murray-Hayden Urban Parks and Youth Services Program

(3) Item 3790-101-0005, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for improvements to the bicycle and pedestrian trail and for bluff erosion and safety railing at Bolsa Chica State Beach until June 30, 2011

(1) 80.25-Recreational Grants

(a) Local Agencies Operating Park Units to the City of Huntington Beach

- 1 (4) *Item 3790-102-0005, Budget Act of 2000 (Ch. 52,*
 2 *Stats. 2000), (a) 80.25-Recreational Grants, (5) Mur-*
 3 *ray-Hayden Grants, as reappropriated by Item 3790-*
 4 *492, Budget Act of 2007 (Chs. 171 and 172, Stats.*
 5 *2007), until June 30, 2010*
 6 *(j) City of Los Angeles: Blythe Street Pocket Park*
 7 *(m) City of Los Angeles: Renovation of Brand Park*
 8 *(q) City of Los Angeles: Community Build Youth*
 9 *Center*
 10 *(dy) City of Los Angeles: South Central Sport Center*
 11 (5) *Item 3790-102-0005, Budget Act of 2000 (Ch. 52,*
 12 *Stats. 2000), (a) 80.25-Recreational Grants, (5) Mur-*
 13 *ray-Hayden Grants, as reappropriated by Item 3790-*
 14 *490, Budget Act of 2008 (Chs. 268 and 269, Stats.*
 15 *2008), until June 30, 2010*
 16 *(c) City of Richmond: Richmond Natatorium, to en-*
 17 *able seismic retrofit of the Natatorium*
 18 *(p) City of Los Angeles: Juntos Park: outdoor devel-*
 19 *opment at a recently acquired parcel to serve as*
 20 *a new park*
 21 *(x) City of Anaheim: Maxwell Park Expansion Pro-*
 22 *ject from 15 to 21 acres*
 23 *(ix) Santa Monica Mountains Conservancy: Arroyo*
 24 *Seco/Confluence Park*
 25 *(vx) YMCA of San Diego County: Border View Expan-*
 26 *sion*
 27 (7) *Item 3790-102-0005, Budget Act of 2000 (Ch. 52,*
 28 *Stats. 2000), as amended by Section 12 of Chapter*
 29 *672 of the Statutes of 2000, and as reappropriated by*
 30 *Item 3790-490, Budget Act of 2008 (Chs. 268 and 269,*
 31 *Stats. 2008), until June 30, 2010*
 32 *(a) 80.25-Recreational Grants*
 33 *(1) Murray-Hayden Grants*
 34 *(ey) Concerned Citizens of South Central Los Ange-*
 35 *les: Acquisition and construction of Antes*
 36 *Columbus Youth Center, soccer field, and pocket*
 37 *park*
 38 *6029—California Clean Water, Clean Air, Safe Neighbor-*
 39 *hood Parks, and Coastal Protection Fund*

- (1) Subdivision (b) of Section 2 of Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-494, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the grant to the City of San Jose for the development of Japantown until June 30, 2010
- (2) Subdivision (b) of Section 2 of Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the grant to the California State University, Chico Research Foundation for the design and construction of the Northern California Natural History Museum until June 30, 2011
- (3) Subdivision (b) of Section 2 of Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the grant to the Immigration Museum/New Americans until June 30, 2011
- (4) Paragraph (6) of subdivision (b) of Section 4 of Chapter 1126 of the Statutes of 2002 to the City and County of San Francisco for Golden Gate Park until June 30, 2011
- (5) Paragraph (7) of subdivision (b) of Section 4 of Chapter 1126 of the Statutes of 2002 to the County of Los Angeles for the El Pueblo Cultural and Performing Arts Center until June 30, 2011

SEC. 234. Item 3790-495 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-495—Reversion, Department of Parks and Recreation. As of June 30, 2009, the unencumbered balances of the appropriations provided in the following citations shall revert to the fund from which the appropriations were made:

- 0263—Off-Highway Vehicle Trust Fund
 - (1) Item 3790-301-0263, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3790-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)
 - (2.5) 90.RS.423-Statewide: OHV Park and Buffer Acquisition Projects—Acquisition

(4) 90.6S.101-Hollister Hills SVRA: Hudner/Renz
Public Use Facility—Construction and equipment

SEC. 235. Item 3790-496 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-496—Reversion, Department of Parks and Recreation. As of June 30, 2009, a total of \$5,600,000 from Item 3790-001-0263, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), shall revert to the fund balance of the fund from which the appropriations were made.

SEC. 236. Item 3790-497 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-497—Reversion, Department of Parks and Recreation. Pursuant to ~~Public Resources Code~~ subdivision (d) of Section 5096.341 ~~(d)~~ of the Public Resources Code, as of June 30, 2009, the balances of the appropriations provided in the following citations shall revert to the fund from which the appropriations were made:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000)

(a) 80.25-Recreational Grants

(1) Competitive grants (non-project specific)

(c) Non-motorized Trails Grants, as partially reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for a grant to the San Dieguito River Park Joint Powers Authority

(6c) Soccer and baseball fields, as partially reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), (a) 80.25 Recreational Grants, (6c) Soccer and baseball fields, (r) City of Los Angeles, Boyle Heights Sports Center for development of sports fields for both soccer and baseball as amended by SB 1681, Section 12 of Chapter 672, Statutes of 2000

- (2) Item 3790-103-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), Grants (per capita), as partially reappropriated by Item 3790-490 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), (4) Item 3790-103-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), Grants (per capita), County of San Diego for the \$1,855,000 grant for the Otay Valley Regional Park
- (3) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001)
 - (1) 80.25-Recreational Grants
 - (b) Roberti-Z'berg Harris, and as partially reappropriated by Item 3790-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), (2) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), (1) 80.25 Recreational Grants, (b) Roberti-Z'berg Harris. This reappropriation is limited to a \$328,770 grant to the County of Butte.
 - (4) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001)
 - (1) 80.25 Recreational Grants
 - (d) Zoos and Aquariums
 - (5) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001)
 - (3) 80.28-Local Projects
 - (a) City and County of San Francisco: Youngblood Coleman Soccer Field
 - (b) City of Montclair: Soccer Park
 - (c) Major League Baseball Urban Youth Foundation: Major League Baseball Academy

SEC. 237. Item 3810-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3810-001-0140—For support of Santa Monica Mountains Conservancy, payable from the California Environmental License Plate Fund.....	247,000
	297,000

Schedule:

(1) 10-Santa Monica Mountains Conservan-	
cy	1,235,000
	<i>1,285,000</i>
(2) Amount payable from the California	
Clean Water, Clean Air, Safe Neighbor-	
hood Parks, and Coastal Protection Fund	
(Item 3810-001-6029).....	-255,000
(3) Amount payable from the Water Securi-	
ty, Clean Drinking Water, Coastal and	
Beach Protection Fund of 2002 (Item	
3810-001-6031).....	-245,000
(4) Amount payable from the Safe Drinking	
Water, Water Quality and Supply, Flood	
Control, River and Coastal Protection	
Fund of 2006 (Item 3810-001-6051).....	-488,000

Provisions:

1. (a) The Santa Monica Mountains Conservancy shall not encumber state-appropriated funds for the purchase or acquisition of real property directly or through any public agency intermediary, including the State Public Works Board, that requires the payment of interest costs, or late fees or penalties, unless the conservancy certifies all of the following: (1) that the purchase is necessary to implement an acquisition identified in the high-priority category of the work program submitted annually to the Legislature pursuant to Section 33208 of the Public Resources Code, or amendments made thereto, (2) that the purchase agreement does not involve interest payments or terms in excess of those that the State Public Works Board may enter into pursuant to Section 15854.1 of the Government Code, and (3) that the purchase agreement does not commit the state to future appropriations.
- (b) The Santa Monica Mountains Conservancy shall report periodically to the Legislature, but no less frequently than twice yearly, concerning the status of any purchases certified as required in (a) and

the amount of state funds thus far encumbered for
interest, penalties, or other principal surcharges.

*SEC. 238. Item 3810-301-6031 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3810-301-6031—For capital outlay, Santa Monica Mountains
Conservancy, payable from the Water Security, Clean
Drinking Water, Coastal and Beach Protection Fund of
2002..... 35,000

Schedule:

±:

(1) 50.20-Capital Outlay and Local Assis-
tance..... 35,000

Provisions:

1. The Santa Monica Mountains Conservancy may en-
cumber funds for either capital outlay or local assis-
tance grants until June 30, 2012. The conservancy
shall not encumber funds for any grant not previously
approved by the office of the Attorney General.
2. The Santa Monica Mountains Conservancy shall issue
grants from this appropriation only in accordance with
the General Obligation Bond Law and the specific
provisions of the bond funds from which appropri-
ations have been made, and according to advice it has
received from the office of the Attorney General, and,
if appropriate, from the office of the State Treasurer,
respecting the permissible use of bond funds available
to the conservancy.
3. Any time that the office of the Attorney General con-
cludes that any use of bond funds has not been consis-
tent with the advice provided by the Attorney General,
the Santa Monica Mountains Conservancy shall follow
the instructions of the Attorney General with respect
to recovery, refund, or other settlement.

*SEC. 239. Item 3810-491 is added to Section 2.00 of the Budget
Act of 2009, to read:*

3810-491—Reappropriation, Santa Monica Mountains Conservancy. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations are extended as specified:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3810-301-0005, Budget Act of 2004 (Ch. 208, Stats. 2004), until June 30, 2011

(1) 50.20.001-Capital Outlay Acquisitions

0941—Santa Monica Mountains Conservancy Fund

(1) Reimbursements to Item 3810-301-0941, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3810-490, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and as reappropriated by Item 3810-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), until June 30, 2010

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3810-301-6031, Budget Act of 2004 (Ch. 208, Stats. 2004), until June 30, 2011

(1) 50.20.001-Capital Outlay Acquisitions

SEC. 240. Item 3850-301-0005 is added to Section 2.00 of the Budget Act of 2009, to read:

3850-301-0005—For capital outlay, Coachella Valley Mountains Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... 343,000

Schedule:

(1) 20-Coachella Valley Mountains Conservancy Acquisition and Enhancement Projects and Costs..... 343,000

Provisions:

1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2012.

SEC. 241. Item 3850-301-6029 is added to Section 2.00 of the Budget Act of 2009, to read:

3850-301-6029—For capital outlay, Coachella Valley Mountains Conservancy, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund..... 456,000

Schedule:

(1) 20-Coachella Valley Mountains Acquisition and Enhancement Projects and Costs..... 456,000

Provisions:

1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2012.

SEC. 242. Item 3850-301-6051 is added to Section 2.00 of the Budget Act of 2009, to read:

3850-301-6051—For capital outlay, Coachella Valley Mountains Conservancy, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 6,000,000

Schedule:

(1) 20-Coachella Valley Mountains Acquisition and Enhancement Projects and Costs..... 6,000,000

Provisions:

1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2012.

SEC. 243. Item 3855-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3855-001-0140—For support of Sierra Nevada Conservancy, payable from the California Environmental License Plate Fund..... 3,732,000
4,232,000

Schedule:

(1) 10-Sierra Nevada Conservancy..... 4,454,000
4,954,000

(2) Reimbursements..... -200,000

- (3) Amount payable from Safe Drinking
Water, Water Quality and Supply, Flood
Control, River and Coastal Protection
Fund of 2006 (Item 3855-001-6051)..... -522,000

*SEC. 244. Item 3855-490 is added to Section 2.00 of the Budget
Act of 2009, to read:*

*3855-490—Reappropriation, Sierra Nevada Conservancy.
Notwithstanding any other provision of law, the period to
liquidate encumbrances of the following citation is extended
to June 30, 2012:
6051—Safe Drinking Water, Water Quality and Supply,
Flood Control, River and Coastal Protection Fund of 2006
(1) Item 3855-101-6051, Budget Act of 2007 (Chs. 171
and 172, Stats. 2007)*

*SEC. 245. Item 3860-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3860-001-0001—For support of Department of Water Re-
sources..... ~~70,127,000~~
63,127,000

Schedule:

- (1) 10-Continuing Formulation of the Cali-
fornia Water Plan..... ~~87,472,000~~
94,093,000
- (2) 20-Implementation of the State Water
Resources Development System..... 5,360,000
- (3) 30-Public Safety and Prevention of
Damage..... ~~148,345,000~~
156,725,000
- (4) 35-Central Valley Flood Protection
Board..... ~~8,549,000~~
6,359,000
- (5) 40-Services..... 9,660,000
- (6) 45-California Energy Resources
Scheduling (CERS)..... 26,098,000
- (7) 50.01-Management and Administra-
tion..... 67,155,000

1	(8) 50.02-Distributed Management and	
2	Administration.....	-67,155,000
3	(9) Reimbursements.....	-45,591,000
4		-53,591,000
5	(10) Amount payable from the California	
6	Environmental License Plate Fund	
7	(Item 3860-001-0140).....	-270,000
8		-330,000
9	(11) Amount payable from the Central Val-	
10	ley Project Improvement Subaccount	
11	(Item 3860-001-0404).....	-1,578,000
12		-709,000
13	(12) Amount payable from the Feasibility	
14	Projects Subaccount (Item 3860-001-	
15	0445).....	-7,000
16	(13) Amount payable from the Water Con-	
17	servation and Groundwater Recharge	
18	Subaccount (Item 3860-001-0446).....	-125,000
19	(14) Amount payable from the Energy Re-	
20	sources Programs Account (Item 3860-	
21	001-0465).....	-2,564,000
22	(15) Amount payable from the Local Pro-	
23	jects Subaccount (Item 3860-001-	
24	0543).....	-101,000
25	(16) Amount payable from the Sacramento	
26	Valley Water Management and Habitat	
27	Protection Subaccount (Item 3860-001-	
28	0544).....	-27,000
29	(17) Amount payable from the 1986 Water	
30	Conservation and Water Quality Bond	
31	Fund (Item 3860-001-0744).....	-195,000
32	(18) Amount payable from the Federal	
33	Trust Fund (Item 3860-001-0890).....	-13,922,000
34		-19,242,000
35	(19) Amount payable from the Dam Safety	
36	Fund (Item 3860-001-3057).....	-11,311,000
37		-11,611,000
38	(20) Amount payable from the Department	
39	of Water Resources Electric Power	
40	Fund (Item 3860-001-3100).....	-26,098,000

1	(21) Amount payable from the Safe Drinking	
2	Water, Clean Water, Watershed Protec-	
3	tion, and Flood Protection Bond Fund	
4	(Item 3860-001-6001).....	-1,029,000
5	(22) Amount payable from the Flood Protec-	
6	tion Corridor Subaccount (Item 3860-	
7	001-6005).....	-150,000
8	(23) Amount payable from the Urban Stream	
9	Restoration Subaccount (Item 3860-	
10	001-6007).....	-33,000
11	(24) Amount payable from the Yuba Feather	
12	Flood Protection Subaccount (Item	
13	3860-001-6010).....	-281,000
14	(25) Amount payable from the Water Con-	
15	servation Account (Item 3860-001-	
16	6023).....	-849,000
17	(26) Amount payable from the Conjunctive	
18	Use Subaccount (Item 3860-001-	
19	6025).....	-1,503,000
20	(27) Amount payable from the Bay-Delta	
21	Multipurpose Water Management Sub-	
22	account (Item 3860-001-6026).....	-5,966,000
23	(28) Amount payable from the Interim Water	
24	Supply and Water Quality Infrastructure	
25	and Management Subaccount (Item	
26	3860-001-6027).....	-2,796,000
27	(29) Amount payable from the Water Secu-	
28	rity, Clean Drinking Water, Coastal	
29	and Beach Protection Fund of 2002	
30	(Item 3860-001-6031).....	-16,082,000
31	(30) Amount payable from the Safe Drinking	
32	Water, Water Quality and Supply,	
33	Flood Control, River and Coastal Pro-	
34	tection Fund of 2006 (Item 3860-001-	
35	6051).....	-4,143,000
36	(31) Amount payable from the Disaster	
37	Preparedness and Flood Prevention	
38	Bond Fund of 2006 (Item 3860-001-	
39	6052).....	-80,736,000
40		-87,736,000

Provisions:

1. The amounts appropriated in Items 3860-001-0001 to 3860-001-6052, inclusive, shall be transferred to the Water Resources Revolving Fund (0691) for direct expenditure in such amounts as the Department of Finance may authorize, including cooperative work with other agencies.
2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code may be expended only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in *Natural Resources Defense Council v. Rodgers* (2005) 381 F.Supp.2d 1212.

SEC. 246. Item 3860-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-0140—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the California Environmental License Plate Fund.....	270,000
	330,000

SEC. 247. Item 3860-001-0404 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-0404—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Central Valley Project Improvement Subaccount.....	1,578,000
	709,000

SEC. 248. Item 3860-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-0890—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Federal Trust Fund.....	13,922,000
	19,242,000

3860-001-3057—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Dam Safety Fund.....	11,311,000
	<i>11,611,000</i>

3860-001-6052—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Disaster Preparedness and Flood Prevention Bond Fund of 2006	80,736,000
	87,736,000

1. Of the amount appropriated in this item, \$11,588,000 for the California Flood SAFE Program shall be available for encumbrance or expenditure until June 30, 2012.

3860-101-0544 For local assistance, Department of Water Resources, payable from the Sacramento Valley Water Management and Habitat Protection Subaccount.....	8,000,000
--	-----------

3860-101-6025—For local assistance, Department of Water Resources, payable from the Conjunctive Use Subaccount.....	218,000
---	---------

4

3860-101-6052—For local assistance, Department of Water
Resources, payable from the Disaster Preparedness and
Flood Prevention Bond Fund of 2006..... ~~176,500,000~~
181,500,000

Provisions:

*1. Of the funds appropriated in this item, \$5,000,000
shall be available for planning, design, and studies
for the Pajaro River Flood Control Project. Funding
provided in this item is made in consideration of, and
shall be contingent upon, the identification of federal
American Recovery and Reinvestment Act funding for
the project. To the extent the funds appropriated in
this item are used for design of the project, the funds
shall be considered as the state share of cost toward
the nonfederal share of the Project.*

*SEC. 254. Item 3860-301-6052 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3860-301-6052—For capital outlay, Department of Water Re-
sources, payable from the Disaster Preparedness and Flood
Prevention Bond Fund of 2006..... ~~115,590,000~~
123,840,000

Schedule:

(1) 30.95.115-American River Flood Con-
trol Project: Common Elements..... 10,801,000
(2) 30.95.260-South Sacramento County
Streams..... ~~4,351,000~~
10,351,000
(3) 30.95.311-Folsom Dam Modifications
Project..... 67,448,000
(4) 30.95.341-System Evaluation of the
State Plan of Flood Control..... 35,200,000
(5) 30.95.342-Sutter Bypass Pumping Plants
Control Systems..... 7,122,000
(5.5) 30.95.343-Sutter Bypass East Water
Control Structure..... ~~3,992,000~~
(6) 30.95.344-Knights Landing Outfall
Gates Rehabilitation..... 10,273,000

1	(7) 30.95.345-Sacramento Yard—Soil and	
2	Groundwater Investigation and Remedi-	
3	ation.....	5,050,000
4	(8) Reimbursements—Folsom Dam Modi-	
5	fications Project.....	-20,192,000
6	(9) Reimbursements—South Sacramento	
7	County Streams.....	-1,263,000
8		-3,005,000
9	(10) Reimbursements—American River	
10	Flood Control Project: Common Ele-	
11	ments.....	-3,200,000
12	Provisions:	
13	1. The funds appropriated in this item may be expended	
14	for relocations and acquisition of land, easements, and	
15	rights-of-way, including, but not limited to, borrow	
16	pits, spoil areas, and easements for levees, clearing,	
17	flood control works, and flowage, and for appraisals,	
18	surveys, and engineering studies necessary for the	
19	completion or operation of the projects in the Sacra-	
20	mento and San Joaquin watersheds as authorized by	
21	Section 8617.1 and Chapters 1 (commencing with	
22	Section 12570), 2 (commencing with Section 12639),	
23	3 (commencing with Section 12800), 3.5 (commencing	
24	with Section 12840), and 4 (commencing with Section	
25	12850) of Part 6 of Division 6 of the Water Code.	
26	Notwithstanding paragraph (1) of subdivision (a) of	
27	Section 12582.7 and Section 12585.5 of the Water	
28	Code, prior to state and federal authorization of the	
29	project and appropriation of federal construction funds	
30	by Congress and subsequent to submittal of a report	
31	to the Legislature pursuant to Section 12582.7 of the	
32	Water Code, the amounts appropriated in this item	
33	may be expended for state costs associated with pre-	
34	construction design and engineering work conducted	
35	by the federal government and others.	
36	2. The amounts appropriated in this item are also for ad-	
37	vances to the federal government or payments to the	
38	federal government or others for incidental construc-	
39	tion or reconstruction items that are an obligation of	
40	the state in connection with the completion or opera-	

tion of the projects and for materials and necessary construction, reconstruction, relocation, or alterations to highways, railroads, bridges, power lines, communication lines, pipelines, irrigation works, and other structures and facilities and for appraisals, surveys, and engineering studies incidental thereto.

3. The funds appropriated in this item include funding for preliminary plans, working drawings, construction supervision, contract administration, and other work activities to be performed by Department of Water Resources personnel in completion of the projects.
4. The funds appropriated in this item may be used to implement the above projects by arranging to perform work which is a federal responsibility prior to the availability of federal appropriations with the intention that the costs will be reimbursed or eligible for credit by the federal government as provided in Public Law 99-662, Section 104, November 17, 1986, or Public Law 90-488, Section 215, August 13, 1968.
5. Notwithstanding Section 26.00, funds may be transferred, with the approval of the Department of Finance, between projects specified in this item and other Department of Water Resources major capital outlay projects with an active appropriation. The Director of Finance shall notify, in writing, the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, within 30 days or such lesser time as the ~~Chairperson~~ *chairperson* of the ~~Joint Legislative Budget Committee~~ *joint committee*, or his or her designee, may determine, prior to any transfer.
6. Payments from a local sponsor to pay for obligations that are federal obligations may be received by the Department of Water Resources and advanced to the federal government with the intent that the costs shall be reimbursed or eligible for credit.

SEC. 255. Item 3860-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-490—Reappropriation, Department of Water Resources.
The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2011:

0001—General Fund

(1) Item 3860-301-0001, Budget Act of 1997 (Ch. 282, Stats. 1997), as reappropriated by Item 3860-490, Budget Act of 2000 (Ch. 52, Stats. 2000), Item 3860-490, Budget Act of 2001 (Ch. 106, Stats. 2001), Item 3860-492, Budget Act of 2002 (Ch. 379, Stats. 2002), and Item 3860-490, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

(5) 30.95.220-Upper Sacramento Area Levee Reconstruction Project

(9) Reimbursements—Upper Sacramento Area Levee Reconstruction Project

(2) Item 3860-301-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Item 3860-490, Budget Act of 2004 (Ch. 208, Stats. 2004), and Item 3860-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(1.5) 30.95.030.201-Merced County Streams, Castle Dam Unit

(2.5) 30.95.215.201-Lower Sacramento Area Reconstruction Project

(4.5) 30.95.295.201-Tehama Section 205 Flood Control Project

(17.5) Reimbursements-Tehama Flood Control Project

(19) Reimbursements-Merced County Streams, Castle Dam Unit

(3) Item 3860-301-0001, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(4) 30.95.245-American River Flood Control Project—Natomas Features

(6) 30.95.330-American River Watershed, Folsom Dam Raise Project, Bridge Element

(10) Reimbursements-American River Watershed, Folsom Dam Raise Project, Bridge Element

SEC. 256. Item 3860-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-491—Reappropriation, Department of Water Resources.
Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended to June 30, 2011:

0001—General Fund

(1) Item 3860-301-0001, Budget Act of 2000 (Ch. 52, Stats. 2000), as extended by Item 3860-492, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-493, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2) 30.95.030-Merced County Streams

SEC. 257. Item 3860-492 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-492—Reappropriation, Department of Water Resources.
The balances of the appropriations provided for in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2011:

6005—Flood Protection Corridor Subaccount

(1) Item 3860-001-6005, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the Flood Protection Corridor Program

6010—Yuba Feather Flood Protection Subaccount

(1) Item 3860-101-6010, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for the Yuba Feather Flood Protection Program

6026—Bay-Delta Multipurpose Water Management Subaccount

(1) Item 3860-001-6026, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the CALFED Conveyance and Drinking Water Quality Programs

(2) *Item 3860-001-6026, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the CALFED Conveyance and Drinking Water Quality Programs*

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) *Item 3860-101-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 3860-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for Desalinization*

(2) *Item 3860-001-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the CALFED Water Quality Program*

(3) *Item 3860-101-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the Integrated Regional Water Management Program*

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) *Item 3860-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the Flood Protection Corridor Program*

(2) *Item 3860-101-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for Programmatic Habitat Restoration, Flood Protection Corridor Program, and the Flood Control Project Subventions*

6052—Disaster Preparedness and Flood Prevention Bond Fund of 2006

(1) *Item 3860-001-6052, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for Sediment Removal*

(2) *Item 3860-001-6052, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for Sycamore Creek, California Flood Plan, and the Flood Protection Corridor Program*

(3) *Item 3860-101-6052, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the State-Federal Flood Control System Modifications and the Floodway Protection Corridor Program*

SEC. 258. *Item 3860-493 is added to Section 2.00 of the Budget Act of 2009, to read:*

3860-493—*Reappropriation, Department of Water Resources.*
Notwithstanding any other provision of law, the period to
liquidate encumbrances of the following citations is extend-
ed to June 30, 2011:

0001—*General Fund*

(1) *Item 3860-101-0001, Budget Act of 2006 (Chs. 47 and*
48, Stats. 2006), for Delta Levees Special Projects

0543—*Local Projects Subaccount*

(1) *Item 3860-101-0543, Budget Act of 2000 (Ch. 52,*
Stats. 2000), as reappropriated by Item 3860-492,
Budget Acts of 2003 (Ch. 157, Stats. 2003) and 2005
(Chs. 38 and 39, Stats. 2005), and Item 3860-491,
Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),
for the Local Project Loan and Grant Program

(2) *Item 3860-101-0543, Budget Act of 2004 (Ch. 208,*
Stats. 2004), as reappropriated by Item 3860-491,
Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),
for the Local Project Loan and Grant Program

6005—*Flood Protection Corridor Subaccount*

(1) *Item 3860-101-6005, Budget Act of 2000 (Ch. 52,*
Stats. 2000), as reappropriated by Item 3860-492,
Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and
Item 3860-491, Budget Act of 2007 (Chs. 171 and 172,
Stats. 2007), for the Flood Protection Corridor Pro-
gram

6010—*Yuba Feather Flood Protection Subaccount*

(1) *Item 3860-101-6010, Budget Act of 2002 (Ch. 379,*
Stats. 2002), as reappropriated by Item 3860-492,
Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and
Item 3860-491, Budget Act of 2007 (Chs. 171 and 172,
Stats. 2007), for the Yuba Feather Flood Protection
Program

6023—*Water Conservation Account*

(1) *Item 3860-101-6023, Budget Act of 2002 (Ch. 379,*
Stats. 2002), as reappropriated by Item 3860-492,
Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and
Item 3860-491, Budget Act of 2007 (Chs. 171 and 172,
Stats. 2007), for the Infrastructure Rehabilitation
Program

(2) *Item 3860-101-6023, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for the Infrastructure Rehabilitation Program and Groundwater Recharge Loan Program*

6025—*Conjunctive Use Subaccount*

(1) *Item 3860-101-6025, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3860-492, Budget Acts of 2003 (Ch. 157, Stats. 2003) and 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Groundwater Storage Program*

(2) *Item 3860-101-6025, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Groundwater Storage Program*

(3) *Item 3860-101-6025, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for the Groundwater Storage Program*

6026—*Bay Delta Multipurpose Water Management Subaccount*

(1) *Item 3860-001-6026, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005) and 2007 (Chs. 171 and 172, Stats. 2007), for the Drinking Water Quality Program*

(2) *Item 3860-001-6026, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for the Drinking Water Quality Program*

6027—*Interim Water Supply and Water Quality Infrastructure and Management Subaccount*

(1) *Item 3860-101-6027, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 3860-492, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Interim Reliable Water Supply Program*

(2) *Item 3860-101-6027, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for the Interim Reliable Water Supply Program*

6031—Water Security, Clean Drinking Water, Coastal and
Beach Protection Fund of 2002
(1) Item 3860-101-6031, Budget Act of 2004 (Ch. 208,
Stats. 2004), as reappropriated by Item 3860-491,
Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),
for the Drought Panel Recommendations Program

SEC. 259. Item 3860-495 is added to Section 2.00 of the Budget
Act of 2009, to read:

3860-495—Reversion, Department of Water Resources. As of
June 30, 2009, the amounts provided in the following cita-
tions shall revert to the fund balances of the funds from
which the appropriations were made:

6023—Water Conservation Account
(1) Item 3860-101-6023, Budget Act of 2004
(Ch. 208, Stats. 2004), as reappropri-
ated by Item 3860-491, Budget Act of
2005 (Chs. 38 and 39, Stats. 2005),
partially reverted by Item 3860-495,
Budget Act of 2006 (Chs. 47 and 48,
Stats. 2006)..... 1,098,393

(2) Item 3860-101-6023, Budget Act of 2006
(Chs. 47 and 48, Stats. 2006), as reap-
propriated by Item 3860-490, Budget
Act of 2007 (Chs. 171 and 172, Stats.
2007)..... 14,999,000

6031—Water Security, Clean Drinking Water, Coastal and
Beach Protection Fund of 2002

(1) Item 3860-001-6031, Budget Act of 2003
(Ch. 157, Stats. 2003) as reappropriated
by Item 3860-491, Budget Act of 2004
(Ch. 208, Stats. 2004), and Budget Act
of 2006 (Chs. 47 and 48, Stats. 2006),
and Item 3860-492, Budget Act of 2008
(Chs. 268 and 269, Stats. 2008)..... 25,141,445

- (2) *Item 3860-101-6031, Budget Act of 2003*
(Ch. 157, Stats. 2003) as reappropriated
by Item 3860-491, Budget Act of 2004
(Ch. 208, Stats. 2004), Budget Act of
2006 (Chs. 47 and 48, Stats. 2006), and
by Item 3860-492 Budget Act of 2008
(Chs. 268 and 269, Stats. 2008)..... 6,886,269
- (3) *Item 3860-001-6031, Budget Act of 2007*
(Chs. 171 and 172, Stats. 2007), as reap-
propriated by Item 3860-492, Budget
Act of 2008 (Chs. 268 and 269, Stats.
2008)..... 4,590,871

SEC. 260. *Item 3900-490 is added to Section 2.00 of the Budget Act of 2009, to read:*

3900-490—Reappropriation, State Air Resources Board. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance until June 30, 2010. Notwithstanding Section 16304.1 of the Government Code, the funds shall be available for disbursements in liquidation of encumbrances until June 30, 2016. This item conforms to the appropriation to Section 39626.5 of the Health and Safety Code, added by Chapter 181 of the Statutes of 2007.

6054—California Ports Infrastructure, Security and Air Quality Improvement Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006

(1) Item 3900-001-6054, Budget Act of 2008 (Chs. 268 and 268, Stats. 2008)

SEC. 261. *Item 3910-001-0387 of Section 2.00 of the Budget Act of 2009 is amended to read:*

3910-001-0387—For support of California Integrated Waste Management Board, payable from the Integrated Waste Management Account, Integrated Waste Management Fund..... 45,559,000

1	Schedule:	
2	(1) 11-Waste Reduction and Manage-	
3	ment.....	93,940,000
4		94,066,000
5	(2) 30.01-Administration.....	9,935,000
6	(3) 30.02-Distributed Administration.....	-9,935,000
7	(4) Reimbursements.....	-2,005,000
8	(5) Amount payable from the California	
9	Used Oil Recycling Fund (Item 3910-	
10	001-0100).....	-5,096,000
11	(6) Amount payable from the California	
12	Used Oil Recycling Fund (paragraph (4)	
13	of subdivision (a) of Section 48653 of	
14	the Public Resources Code).....	-192,000
15	(7) Amount payable from the California	
16	Used Oil Recycling Fund (paragraph (1)	
17	of subdivision (a) of Section 48653 of	
18	the Public Resources Code).....	-3,800,000
19	(8) Amount payable from the California	
20	Tire Recycling Management Fund	
21	(Item 3910-001-0226).....	-29,018,000
22	(9) Amount payable from the Recycling	
23	Market Development Revolving Loan	
24	Account, Integrated Waste Management	
25	Fund (Item 3910-001-0281).....	-1,003,000
26	(10) Amount payable from the Solid Waste	
27	Disposal Site Cleanup Trust Fund (Item	
28	3910-001-0386).....	-610,000
29	(11) Amount payable from the Integrated	
30	Waste Management Account, Integrated	
31	Waste Management Fund (Item 3910-	
32	006-0387).....	-640,000
33	(12) Amount payable from the Farm and	
34	Ranch Solid Waste Cleanup and	
35	Abatement Account (Item 3910-001-	
36	0558).....	-1,139,000
37	(13) Amount payable from the Federal Trust	
38	Fund (Item 3910-001-0890).....	-275,000
39		-401,000

(14) Amount payable from the Rigid Container Account (Item 3910-001-3024).....	-165,000
(15) Amount payable from the Electronic Waste Recovery and Recycling Account (Item 3910-001-3065).....	-4,438,000

Provisions:

1. Notwithstanding subdivision (h) of Section 42023.1 of the Public Resources Code, the California Integrated Waste Management Board may offset the costs of administering the revolving loan program for Recycling Market Development Zones with funds appropriated in this item.
2. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

SEC. 262. Item 3910-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3910-001-0890—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Federal Trust Fund.....	275,000
	401,000

SEC. 263. Item 3930-001-0106 of Section 2.00 of the Budget Act of 2009 is amended to read:

3930-001-0106—For support of Department of Pesticide Regulation, payable from the Department of Pesticide Regulation Fund.....	50,422,000
Schedule:	
(1) 10-Pesticide Programs.....	53,444,000
	53,902,000
(2) 20.01-Administration.....	10,568,000
(3) 20.02-Distributed Administration.....	-10,568,000
(4) Reimbursements.....	-765,000
(4.5) Amount payable from the California Environmental License Plate Fund (Item 3930-001-0140).....	-458,000

- (5) Amount payable from the Federal Trust Fund (Item 3930-001-0890)..... -2,257,000
- Provisions:
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

SEC. 264. Item 3930-001-0140 is added to Section 2.00 of the Budget Act of 2009, to read:

3930-001-0140—For support of Department of Pesticide Regulation, for payment to Item 3930-001-0106, payable from the California Environmental License Plate Fund..... 458,000

SEC. 265. Item 3940-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

*3940-001-0235—For support of State Water Resources Control Board, for payment to Item 3940-001-0439, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund..... 2,342,000
2,039,000*

SEC. 266. Item 3940-001-0439 of Section 2.00 of the Budget Act of 2009 is amended to read:

*3940-001-0439—For support of State Water Resources Control Board..... 267,394,000
238,113,000*

Schedule:

- (1) 10-Water Quality..... 452,124,000
439,650,000
- (2) 20-Water Rights..... 11,658,000
- (3) 30.01-Administration..... 20,886,000
- (4) 30.02-Distributed Administration..... -20,886,000
- (5) Reimbursements..... -8,062,000
-8,932,000
- (6) Amount payable from the General Fund (Item 3940-001-0001)..... -40,575,000

1	(7) Amount payable from the Unified Pro-	
2	gram Account (Item 3940-001-0028)....	-621,000
3	(8) Amount payable from the Waste Dis-	
4	charge Permit Fund (Item 3940-001-	
5	0193).....	-78,768,000
6	(9) Amount payable from the Marine Inva-	
7	sive Species Control Fund (Item 3940-	
8	001-0212).....	-103,000
9	(10) Amount payable from the Public Re-	
10	sources Account, Cigarette and Tobacco	
11	Products Surtax Fund (Item 3940-001-	
12	0235).....	-2,342,000
13		-2,039,000
14	(11) Amount payable from the Integrated	
15	Waste Management Account, Integrated	
16	Waste Management Fund (Item 3940-	
17	001-0387).....	-6,757,000
18	(12) Amount payable from the Water Recy-	
19	cling Subaccount (Item 3940-001-	
20	0419).....	-1,150,000
21	(13) Amount payable from the Drainage	
22	Management Subaccount (Item 3940-	
23	001-0422).....	-515,000
24	(14) Amount payable from the Seawater In-	
25	trusion Control Subaccount (Item 3940-	
26	001-0424).....	-222,000
27	(15) Amount payable from the Underground	
28	Storage Tank Tester Account (Item	
29	3940-001-0436).....	-64,000
30	(16) Amount payable from the 1984 State	
31	Clean Water Bond Fund (Item 3940-	
32	001-0740).....	-322,000
33	(17) Amount payable from the Federal	
34	Trust Fund (Item 3940-001-0890)....	-35,113,000
35		-51,353,000
36	(18) Amount payable from the Water Rights	
37	Fund (Item 3940-001-3058).....	-7,447,000
38	(19) Amount payable from the Watershed	
39	Protection Subaccount (Item 3940-001-	
40	6013).....	-250,000

1	(20) Amount payable from the Santa Ana	
2	River Watershed Subaccount (Item	
3	3940-001-6016).....	-250,000
4	(21) Amount payable from the Lake Elsinore	
5	and San Jacinto Watershed Subaccount	
6	(Item 3940-001-6017).....	-150,000
7	(22) Amount payable from the Nonpoint	
8	Source Pollution Control Subaccount	
9	(Item 3940-001-6019).....	-200,000
10	(23) Amount payable from the State Revolv-	
11	ing Fund Loan Subaccount (Item 3940-	
12	001-6020).....	-81,000
13	(24) Amount payable from the Wastewater	
14	Construction Grant Subaccount (Item	
15	3940-001-6021).....	-23,000
16	(25) Amount payable from the Coastal	
17	Nonpoint Source Control Subaccount	
18	(Item 3940-001-6022).....	-150,000
19	(26) Amount payable from the Water Secu-	
20	rity, Clean Drinking Water, Coastal and	
21	Beach Protection Fund of 2002 (Item	
22	3940-001-6031).....	-3,000,000
23	(27) Amount payable from the Safe Drinking	
24	Water, Water Quality and Supply,	
25	Flood Control, River and Coastal Pro-	
26	tection Fund of 2006 (Item 3940-001-	
27	6051).....	-4,073,000
28	(28) Amount payable from the Petroleum	
29	Underground Storage Tank Financing	
30	Account (Item 3940-001-8026).....	-618,000
31	(29) Amount payable from the State Water	
32	Pollution Control Revolving Fund Ad-	
33	ministration Fund (Item 3940-001-	
34	9739).....	-5,532,000
35	Provisions:	
36	1. Notwithstanding any other provision of law, upon ap-	
37	proval and order of the Director of Finance, the State	
38	Water Resources Control Board may borrow sufficient	
39	funds for cash purposes from special funds that other-	
40	wise provide support for the board. Any such loans	

are to be repaid with interest at the rate earned in the
Pooled Money Investment Account.

*SEC. 267. Item 3940-001-0890 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3940-001-0890—For support of State Water Resources Control Board, for payment to Item 3940-001-0439, payable from the Federal Trust Fund.....	35,113,000 51,353,000
---	-------------------------------------

*SEC. 268. Item 3940-011-0439 is added to Section 2.00 of the
Budget Act of 2009, to read:*

3940-011-0439—For transfer by the Controller from the Un- derground Storage Tank Cleanup Fund to the Under- ground Storage Tank Cleanup Fund, School District Ac- count.....	(10,000,000)
---	--------------

*SEC. 269. Item 3940-012-0439 is added to Section 2.00 of the
Budget Act of 2009, to read:*

3940-012-0439—For transfer by the Controller from the Un- derground Storage Tank Cleanup Fund to the Under- ground Storage Tank Petroleum Contamination Orphan Site Cleanup Fund.....	(20,000,000)
--	--------------

*SEC. 270. Item 3940-101-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3940-101-0001—For local assistance, State Water Resources Control Board.....	0
Schedule:	
(1) 10-Water Quality.....	12,500,000 42,500,000
(1.1) Amount payable from the School District Account, Underground Stor- age Tank Cleanup Fund (Item 3940- 101-3134).....	-10,000,000

- 1 (1.2) Amount payable from the Under-
- 2 ground Storage Tank Petroleum
- 3 Contamination Orphan Site Cleanup
- 4 Fund (Item 3940-101-3145)..... -20,000,000
- 5 (2) Amount payable from the State Water
- 6 Pollution Control Revolving Fund Small
- 7 ~~Communities~~ Community Grant Fund
- 8 (Item 3940-101-3147)..... -1,000,000
- 9 (3) Amount payable from the Petroleum
- 10 Underground Storage Tank Financing
- 11 Account (Item 3940-101-8026)..... -11,500,000
- 12

13 SEC. 271. Item 3940-101-3134 is added to Section 2.00 of the
14 Budget Act of 2009, to read:

15
16 3940-101-3134—For local assistance, State Water Resources
17 Control Board, for payment to Item 3940-101-0001,
18 payable from the School District Account in the Under-
19 ground Storage Tank Cleanup Fund 10,000,000

20
21 SEC. 272. Item 3940-101-3145 is added to Section 2.00 of the
22 Budget Act of 2009, to read:

23
24 3940-101-3145—For local assistance, State Water Resources
25 Control Board, for payment to Item 3940-101-0001,
26 payable from the Underground Storage Tank Petroleum
27 Contamination Orphan Site Cleanup Fund..... 20,000,000

28
29 SEC. 273. Item 3940-496 is added to Section 2.00 of the Budget
30 Act of 2009, to read:

31
32 3940-496—Reversion, State Water Resources Control Board.
33 As of June 30, 2009, the unencumbered balances of the
34 appropriations provided in the following citations shall
35 revert to the balance of the fund from which the appropri-
36 ations were made:
37 6029—California Clean Water, Clean Air, Safe Neighbor-
38 hood Parks, and Coastal Protection Fund
39 (1) \$646,000 or the unencumbered balance of funds ap-
40 propriated by Chapter 727 of the Statutes of 2002, as

reappropriated by Item 3940-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), corresponding to the following allocation:

(1) Clean Beaches Program.....	78,000
(2) Small Community Wastewater Grant Program.....	14,000
(3) Urban Storm Water Grant Program.....	64,000
(4) Nonpoint Source Pollution Control Program.....	12,000
(5) Agricultural Water Quality Grant Program.....	8,000
(6) Small Community Groundwater Grant Program.....	186,000
(7) Integrated Watershed Management Plans: General.....	134,000
(8) Integrated Watershed Management Plans: Groundwater.....	150,000

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) \$25,538,000 or the unencumbered balance of funds from Item 3940-101-6031, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3940-491, Budget Act of 2004 (Ch. 208, Stats. 2004), from bond allocation:

(1) 79540(a)-Clean Water and Water Quality.....	1,144,000
(2) 79543(1)-Santa Monica Bay Restoration.....	200,000
(3) 79550(g)-Urban and Agriculture Water Conservation Recycling, and other water use efficiency.....	298,000
(4) 79564.1(a)(1)-Integrated Regional Water Management Southern California.....	12,102,000
(5) 79564.1(a)(2)-Integrated Regional Water Management Northern California.....	11,794,000

(2) \$78,000 or the unencumbered balance of funds from Item 3940-001-6031, Budget Act of 2006 (Chs. 47 and

48, Stats. 2006), corresponding to the following allocation:

(1)	79543-Coastal Water Quality.....	51,000
(2)	79564.1(a)(1)-Integrated Regional Water Management Southern California.....	5,000
(3)	79564.1(a)(2)-Integrated Regional Water Management Northern California.....	5,000
(4)	79550(g)-Urban and Agriculture Water Conservation, Recycling, and Other Water Use Efficiency.....	17,000
(3)	\$858,000 or the unencumbered balance of funds from Item 3940-001-6031, Budget Act of 2007, (Chs. 171 and 172, Stats. 2007), corresponding to the following allocation:	
(1)	79543-Coastal Water Quality.....	40,000
(2)	79543(1)-Santa Monica Bay Restoration.....	588,000
(3)	79564.1(a)(1)-Integrated Regional Water Management Southern California.....	86,000
(4)	79564.1(a)(2)-Integrated Regional Water Management Northern California.....	86,000
(5)	79550(g)-Urban and Agriculture Water Conservation, Recycling, and Other Water Use Efficiency.....	58,000

SEC. 274. Item 3980-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3980-001-0001—For support of Office of Environmental Health	
Hazard Assessment.....	8,340,000
	2,543,000
Schedule:	
(1) 10-Health Risk Assessment.....	19,809,000
(2) Reimbursements.....	–3,387,000
(3) Amount payable from the Unified Program Account (Item 3980-001-0028)....	–141,000

1	(4) Amount payable from the Motor Vehicle	
2	Account, State Transportation Fund	
3	(Item 3980-001-0044).....	-2,557,000
4		-3,397,000
5	(5) Amount payable from the California	
6	Used Oil Recycling Fund (Item 3980-	
7	001-0100).....	-582,000
8	(6) Amount payable from the Department	
9	of Pesticide Regulation Fund (Item	
10	3980-001-0106).....	-1,026,000
11		-1,636,000
12	(6.5) Amount payable from the Air Pollution	
13	Control Fund (Item 3980-001-0115)....	-586,000
14	(7) Amount payable from the California	
15	Environmental License Plate Fund (Item	
16	3980-001-0140).....	-893,000
17	(7.5) Amount payable from the Fish and	
18	Game Preservation Fund (Item 3980-	
19	001-0200).....	-359,000
20	(8) Amount payable from the Oil Spill Pre-	
21	vention and Administration Fund (Item	
22	3980-001-0320).....	-125,000
23	(9) Amount payable from the Integrated	
24	Waste Management Account (Item	
25	3980-001-0387).....	-359,000
26	(10) Amount payable from the Toxic Sub-	
27	stances Control Account (Item 3980-	
28	001-0557).....	-558,000
29		-693,000
30	(11) Amount payable from the Federal Trust	
31	Fund (Item 3980-001-0890).....	-414,000
32	(12) Amount payable from the Safe Drinking	
33	Water and Toxic Enforcement Fund	
34	(Item 3980-001-3056).....	-1,427,000
35		-4,298,000
36		

37 SEC. 275. Item 3980-001-0044 of Section 2.00 of the Budget
 38 Act of 2009 is amended to read:

3980-001-0044—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Motor Vehicle Account, State Transporta-
tion Fund..... 2,557,000
3,397,000

*SEC. 276. Item 3980-001-0106 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3980-001-0106—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Department of Pesticide Regulation
Fund..... 1,026,000
1,636,000

*SEC. 277. Item 3980-001-0115 is added to Section 2.00 of the
Budget Act of 2009, to read:*

3980-001-0115—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Air Pollution Control Fund 586,000

*SEC. 278. Item 3980-001-0200 is added to Section 2.00 of the
Budget Act of 2009, to read:*

3980-001-0200—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Fish and Game Preservation Fund..... 359,000

*SEC. 279. Item 3980-001-0557 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3980-001-0557—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Toxic Substances Control Account..... 558,000
693,000

*SEC. 280. Item 3980-001-3056 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3980-001-3056—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Safe Drinking Water and Toxic Enforce-
ment Fund..... ~~1,427,000~~
4,298,000

*SEC. 281. Item 4120-101-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4120-101-0001—For local assistance, Emergency Medical
Services Authority, grants to local agencies..... ~~8,508,000~~
5,558,000

Schedule:

- (1) 10-Emergency Medical Services Author-
ity..... ~~12,512,000~~
9,562,000
- (2) Reimbursements..... -3,300,000
- (3) Amount payable from the Federal Trust
Fund (Item 4120-101-0890)..... -704,000

Provisions:

1. The General Fund support for poison control centers shall augment, but not replace, local expenditures for existing poison control center services. These funds shall be used primarily to increase services to underserved counties and populations and for poison prevention and information services. The Director of the Emergency Medical Services Authority may contract with eligible poison control centers for the distribution of these funds.
2. The Emergency Medical Services Authority shall use the following guidelines in administering state-funded grants to local agencies: (a) funding eligibility shall be limited to rural multicounty regions that demonstrate a heavy use of the emergency medical services system by nonresidents, (b) local agencies shall provide matching funds of at least \$1 for each dollar of state funds received, (c) state funding shall be used to provide only essential minimum services necessary to operate the system, as defined by the authority, (d) no region shall receive both federal and state funds in the

same fiscal year for the same purpose, and (e) the Emergency Medical Services Authority shall monitor the use of the funds by recipients to ensure that these funds are used in an appropriate manner.

3. Each region shall be eligible to receive up to one-half of the total cost of a minimal system for that region, as defined by the Emergency Medical Services Authority. However, the authority may reallocate unclaimed funds among regions.
4. Notwithstanding Provision 2(b), each region with a population of 300,000 or less as of June 30, ~~2007~~ 2008, shall receive the full amount for which it is eligible if it provides a cash match of \$0.41 per capita or more. Failure to provide local cash contributions at the specified level shall result in a proportional reduction in state funding.
5. It is the intent of the Legislature that the Director of the Emergency Medical Services Authority provide assistance, when feasible, to poison control centers in seeking sources of funding other than General Fund support, including grants from health-related foundations, federal grants, and assistance from the California Children and Families Commission, or other relevant entities. It is also the intent of the Legislature that poison control centers assertively seek and obtain funding from foundations, private-sector entities, the federal government, and sources other than the General Fund.

SEC. 282. Item 4140-490 is added to Section 2.00 of the Budget Act of 2009, to read:

4140-490—Reappropriation, Office of Statewide Health Planning and Development. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2010:
3085—Mental Health Services Fund

(1) *Item 4140-001-3085, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

SEC. 283. Item 4170-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4170-001-0001—For support of Department of Aging.....	4,227,000
Schedule:	
(1) 10-Nutrition.....	3,008,000
(2) 20-Senior Community Employment Service.....	697,000
(3) 30-Supportive Services and Centers.....	4,863,000
(4) 40-Special Projects.....	8,270,000 8,680,000
(5) 50.01-Administration.....	14,412,000
(6) 50.02-Distributed Administration.....	-14,412,000
(7) Reimbursements.....	-4,113,000
(8) Amount payable from the State HICAP Fund (Item 4170-001-0289).....	-223,000
(9) Amount payable from the Federal Trust Fund (Item 4170-001-0890).....	-8,153,000 -8,563,000
(10) Amount payable from the Federal Citation Penalties Account, Special Deposit Fund (Item 4170-003-0942).....	-122,000

SEC. 284. Item 4170-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4170-001-0890—For support of Department of Aging, for payment to Item 4170-001-0001, payable from the Federal Trust Fund.....	8,153,000 8,563,000
---	-----------------------------------

Provisions:

1. The Department of Finance may authorize the transfer of funds between this item and Item 4170-101-0890 no sooner than 30 days after written notification to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than

whatever lesser time the Chairperson of the Joint Legislative Budget Committee may determine. The notification shall include: (a) the amount of the proposed transfer, (b) an identification of the purposes for which the funds will be used, (c) documentation that the proposed activities must be carried out in the current year and that no other funds are available for their support, and (d) the impact of any transfer on the level of services.

SEC. 285. Item 4170-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4170-101-0890—For local assistance, Department of Aging,	
for payment to Item 4170-101-0001, payable from the	
Federal Trust Fund.....	142,000,000
	<i>150,016,000</i>

Provisions:

1. Provision 1 of Item 4170-001-0890 is also applicable to this item.
2. Notwithstanding subdivision (e) of Section 28.00, the Department of Finance, upon notification by the California Department of Aging, may authorize augmentations in this item for federal Title III, Title VII, HICAP one-time only allocations, and for unexpended 2008–09 federal grant funds. *The Department of Finance shall provide notification of the augmentation to the Joint Legislative Budget Committee within 10 working days from the date of the Department of Finance approval of the adjustment.*
3. Notwithstanding Section 26.00, the Department of Finance, upon notification by the California Department of Aging, may authorize transfers between Program 10-Nutrition and Program 30-Supportive Services and Centers in response to budget revisions submitted by the Area Agencies on Aging.
4. *Unspent federal stimulus funds authorized in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) for Nutrition and Senior Community Services Employment Programs, budgeted in the*

2008–09 and 2009–10 fiscal years, are available for encumbrance or expenditure through September 30, 2010.

SEC. 286. Item 4200-001-0367 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-0367—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Indian Gaming Special Distribution Fund.....	4,241,000
	4,250,000

SEC. 287. Item 4200-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-0890—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Federal Trust Fund.....	23,823,000
	23,979,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer funds as necessary between this item and Item 4200-101-0890. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making this assessment, the department shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.

SEC. 288. Item 4200-001-3019 of Section 2.00 of the Budget Act of 2009 is repealed.

4200-001-3019—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Substance Abuse Treatment Trust Fund.....	3,171,000
--	----------------------

Provisions:

~~1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to Section 11999.6 of the Health and Safety Code.~~

SEC. 289. Item 4200-001-3113 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-3113—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Residential and Outpatient Program Licensing Fund.....	3,219,000
	3,816,000

SEC. 290. Item 4200-001-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-3146—For support of Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund.....	0
--	---

Schedule:

(1) 15-Alcohol and Other Drug Services Program.....	48,250,000
	45,515,000
(2) 30.01-Administration.....	11,711,000
	11,711,000
(3) 30.02-Distributed Administration.....	-11,711,000
(4) Reimbursements.....	-5,227,000
	-5,319,000
(4.5) Amount payable from the General Fund (Item 4200-001-0001).....	-5,082,000
	-4,664,000
(5) Amount payable from the Driving-Under-the-Influence Program Licensing Trust Fund (Item 4200-001-0139).....	-1,613,000
(6) Amount payable from the Narcotic Treatment Program Licensing Trust Fund (Item 4200-001-0243).....	-1,367,000

1	(7) Amount payable from Indian Gaming	
2	Special Distribution Fund (Item 4200-	
3	001-0367).....	-4,241,000
4		-4,250,000
5	(8) Amount payable from the Audit Repay-	
6	ment Trust Fund (Item 4200-001-	
7	0816).....	-69,000
8	(9) Amount payable from the Federal Trust	
9	Fund (Item 4200-001-0890).....	-23,823,000
10		-23,979,000
11	(10) Amount payable from the Substance	
12	Abuse Treatment Trust Fund (Item	
13	4200-001-3019).....	-3,171,000
14	(11) Amount payable from the Mental	
15	Health Services Fund (Item 4200-001-	
16	3085).....	-288,000
17	(12) Amount payable from the Gambling	
18	Addiction Program Fund (Item 4200-	
19	001-3110).....	-150,000
20	(13) Amount payable from Residential and	
21	Outpatient Program Licensing Fund	
22	(Item 4200-001-3113).....	-3,219,000
23		-3,816,000
24	Provisions:	
25	1. Upon approval by the Department of Finance, the	
26	Controller shall transfer such funds as are necessary	
27	between this item and Items 4200-101-3146, 4200-	
28	102-3146, 4200-103-3146, and 4200-104-3146. In	
29	determining which transfers are necessary pursuant to	
30	this provision, the department shall assess those pro-	
31	grams and operations that have the most critical need.	
32	In making the assessment, the department shall consid-	
33	er such factors as caseload requirements, availability	
34	of personnel to provide essential services, other fund-	
35	ing sources, and relevant information provided by af-	
36	ected state agencies.	
37	2. <i>Notwithstanding the provisions of the Administrative</i>	
38	<i>Procedure Act (Chapter 3.5 (commencing with Section</i>	
39	<i>11340) of Part 1 of Division 3 of Title 2 of the Govern-</i>	
40	<i>ment Code), the State Department of Alcohol and Drug</i>	

Programs may allocate funds provided in this act for the Substance Abuse Offender Treatment Program by all-county letter or similar instructions.

SEC. 291. Item 4200-101-3019 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4200-101-3019—For local assistance, Department of Alcohol and Drug Programs, for payment to Item 4200-101-3146, payable from the Substance Abuse Treatment Fund..... 86,863,000~~

~~Provisions:~~

~~1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for local assistance pursuant to Section 11999.6 of the Health and Safety Code.~~

SEC. 292. Item 4200-101-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-101-3146—For local assistance, Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund..... 0

Schedule:

(1) 15-Alcohol and Other Drug Services
 Program..... 420,254,000
 382,791,000
 (2) Reimbursements..... -10,807,000
 -60,207,000
 (2.1) Amount payable from the General
 Fund (Item 4200-101-0001)..... -83,665,000
 (2.5) Amount payable from the Indian
 Gaming Special Distribution Fund
 (Item 4200-101-0367)..... -4,000,000
 (3) Amount payable from the Federal
 Trust Fund (Item 4200-101-0890)..... -234,919,000
~~(4) Amount payable from the Substance
 Abuse Treatment Fund (Item 4200-
 101-3019)..... -86,863,000~~

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-3146, 4200-102-3146, 4200-103-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making this assessment, the department shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.
2. Upon approval by the Department of Finance, one or more short-term loans not to exceed a cumulative total of \$59,745,000 may be made available from the General Fund when there is a delay in the allocation of federal Substance Abuse Prevention and Treatment (SAPT) Block Grant funds to California. Each loan shall be repaid, with interest calculated pursuant to subdivision (a) of Section 16314 of the Government Code, upon receipt of the federal SAPT Block Grant.
3. *Notwithstanding the provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Alcohol and Drug Programs may allocate funds provided in this act for the Substance Abuse Offender Treatment Program by all-county letter or similar instructions.*

SEC. 293. Item 4200-102-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-102-3146—For local assistance, Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund, for perinatal substance abuse treatment programs (Drug Medi-Cal).....

0

Schedule:

(1) 15-Alcohol and Other Drug Services	
Program.....	7,732,000
	5,714,000
(2) Reimbursements.....	-3,866,000
	-3,519,000
(3) Amount payable from the General Fund	
(Item 4200-102-0001).....	-3,866,000
	-2,195,000

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-3146, 4200-101-3146, 4200-103-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making this assessment, the department shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.
2. The funds appropriated in this item are available to provide funding for the state's share of expenditures for perinatal substance abuse services provided to persons eligible for Medi-Cal.
3. Notwithstanding subdivision (a) of Section 1.80 and Section 26.00, the Department of Finance may authorize a transfer of expenditure authority between this item and Item 4200-103-3146, so that the funds appropriated in either item may be used to pay the state and federal share of prior fiscal years' allowable Medi-Cal costs that exceed the amount encumbered in prior fiscal years. The department shall notify the Legislature within 10 days after authorizing a transfer pursuant to this provision unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.

SEC. 294. Item 4200-103-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-103-3146—For local assistance, Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund, for Drug Medi-Cal Services..... 0

Schedule:

(1) 15-Alcohol and Other Drug Services

Program.....	205,183,000
	189,087,000
(2) Reimbursements.....	-98,277,000
	-112,018,000
(3) Amount payable from the General Fund (Item 4200-103-0001).....	-106,906,000
	-77,069,000

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-3146, 4200-101-3146, 4200-102-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making this assessment, the department shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.
2. The funds appropriated in this item are available to provide funding for the state's share of expenditures for substance abuse services provided to persons eligible for Medi-Cal.
3. Notwithstanding subdivision (a) of Section 1.80 and Section 26.00, the Department of Finance may authorize a transfer of expenditure authority between this item and Item 4200-102-3146 so that the funds appropriated in either item may be used to pay the state and federal share of prior fiscal years' allowable Medi-Cal costs that exceed the amount encumbered in prior fis-

cal years. The department shall notify the Legislature within 10 days after authorizing a transfer pursuant to this provision unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.

4. Notwithstanding any other provision of law, both the federal and nonfederal shares of any moneys recovered for previously paid Drug Medi-Cal program services provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code are hereby appropriated and shall be expended as soon as practicable for Drug Medi-Cal program services, as defined in the Welfare and Institutions Code.

SEC. 295. Item 4200-105-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4200-105-0001—For transfer, as an expenditure, upon order of the Department of Finance, to the Substance Abuse Treatment Trust Fund..... 90,034,000~~
~~Provisions:~~
~~1. The amount of the transfer may be modified by the Department of Finance to accommodate administrative and workload adjustments.~~

SEC. 296. Item 4260-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-001-0001—For support of Department of Health Care Services..... 134,563,000
 135,071,000
 Schedule:
 (1) 20-Health Care Services..... 387,240,000
 389,070,000
 (2) 30.01-Administration..... 26,053,000
 (3) 30.02-Distributed Administration..... -26,555,000
 (4) Reimbursements..... -21,204,000
 -21,244,000

1	(5) Amount payable from the Breast Cancer	
2	Control Account (Item 4260-001-	
3	0009).....	-95,000
4	(6) Amount payable from the Childhood	
5	Lead Poisoning Prevention Fund (Item	
6	4260-001-0080).....	-151,000
7	(7) Amount payable from the Unallocated	
8	Account, Cigarette and Tobacco Prod-	
9	ucts Surtax Fund (Item 4260-001-	
10	0236).....	-741,000
11		-541,000
12	(8) Amount payable from the Federal	
13	Trust Fund (Item 4260-001-0890).....	-228,992,000
14		-230,474,000
15	(9) Amount payable from the Mental Health	
16	Services Fund (Item 4260-001-3085)....	-992,000
17	Provisions:	
18	1. Effective February 1, 2009, the State Department of	
19	Health Care Services shall report biennially in writing	
20	on the results of the additional positions established	
21	under the 2003 Medi-Cal Anti-Fraud Initiative to the	
22	chairpersons of the committees in each house of the	
23	Legislature that consider appropriations and the	
24	Chairperson of the Joint Legislative Budget Commit-	
25	tee. The report shall include the results of the most	
26	recently completed biennial error rate study and ran-	
27	dom claim sampling process, the number of positions	
28	filled by division, and, for each of the components of	
29	the initiative, the amount of savings and cost avoidance	
30	achieved and estimated, the number of providers	
31	sanctioned, and the number of claims and beneficiary	
32	records reviewed.	
33	2. Of the funds appropriated for new information technol-	
34	ogy projects, no funds may be expended on a project	
35	prior to approval of a feasibility study report concern-	
36	ing that project by the office of the State Chief Infor-	
37	mation Officer. The State Department of Health Care	
38	Services shall notify the fiscal committees of both	
39	houses of the Legislature that a feasibility study report	
40	has been approved for a project within 30 days of the	

report's approval by the office of the State Chief Information Officer, and shall include with the notification a copy of the approved feasibility study report that reflects any changes.

SEC. 297. Item 4260-001-0236 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-001-0236—For support of Department of Health Care Services, for payment to Item 4260-001-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund.....	741,000
	541,000

SEC. 298. Item 4260-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-001-0890—For support of Department of Health Care Services, for payment to Item 4260-001-0001, payable from the Federal Trust Fund.....	228,992,000
	230,474,000

Provisions:

1. Of the funds appropriated in this item, \$1,069,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00, the State Department of Health Care Services shall report under that section any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.

SEC. 299. Item 4260-101-0080 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-101-0080—For local assistance, Department of Health Care Services, for payment to Item 4260-101-0001, payable from the Childhood Lead Poisoning Prevention Fund.....	160,000
	115,000

4260-101-0232—For local assistance, Department of Health Care Services, for payment to Item 4260-101-0001, payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund.....	23,559,000
	95,078,000

4260-101-0236—For local assistance, Department of Health Care Services, for payment to Item 4260-101-0001, payable from the Unallocated Services Account, Cigarette and To- bacco Products Surtax Fund.....	21,519,000
--	------------

4260-101-0890—For local assistance, Department of Health Care Services, for payment to Item 4260-101-0001, payable from the Federal Trust Fund.....	22,440,653.000 26,592,825.000
---	----------------------------------

4260-102-0001—For local assistance, Department of Health Care Services, Program 20.10.030-Benefits (Medical Care and Services), for supplemental reimbursement for debt service pursuant to Section 14085.5 of the Welfare and Institutions Code.....	51,604,000
	54,198,000

98

diture authority between this item and Items 4260-101-0001, 4260-111-0001, 4260-113-0001, and 4260-117-0001 in order to effectively administer the programs funded in these items. The Department of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code. The 10-day notification to the Legislature shall include the reasons for the transfer, the fiscal assumptions used in calculating the transfer amount, and any potential effects on the program from which funds are being transferred or reduced.

SEC. 304. Item 4260-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-102-0890—For local assistance, Department of Health Care Services, Program 20.10.030-Benefits (Medical Care and Services), payable from the Federal Trust Fund, for supplemental reimbursement for debt service pursuant to Section 14085.5 of the Welfare and Institutions Code.....	51,604,000
	54,198,000

Provisions:

1. Any of the provisions in Item 4260-102-0001 that are relevant to this item also apply to this item.

SEC. 305. Item 4260-106-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-106-0890—For local assistance, Department of Health Care Services, Program 20.10.030-Benefits (Medical Care and Services), payable from the Federal Trust Fund.....	12,365,000
	14,708,000

SEC. 306. Item 4260-111-0080 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-111-0080—For local assistance, Department of Health
 Care Services, for payment to Item 4260-111-0001,
 payable from the Childhood Lead Poisoning Prevention
 Fund..... 11,000
 8,000

*SEC. 307. Item 4260-111-0233 of Section 2.00 of the Budget
 Act of 2009 is repealed.*

~~4260-111-0233—For local assistance, Department of Health
 Care Services, for payment to Item 4260-111-0001, payable
 from the Physician Services Account, Cigarette and Tobac-
 co Products Surtax Fund..... 774,000~~

*SEC. 308. Item 4260-111-0236 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

4260-111-0236—For local assistance, Department of Health
 Care Services, for payment to Item 4260-111-0001,
 payable from the Unallocated Account, Cigarette and To-
 bacco Products Surtax Fund..... 13,081,000
 10,000,000

*SEC. 309. Item 4260-111-0890 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

4260-111-0890—For local assistance, Department of Health
 Care Services, for payment to Item 4260-111-0001,
 payable from the Federal Trust Fund..... 145,915,000
 148,517,000

Provisions:

1. Of the funds appropriated in this item, \$408,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00, the State Department of Health Care Services shall report under that section any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.
2. Any of the provisions in Item 4260-111-0001 that are relevant to this item also apply to this item.

SEC. 310. Item 4260-113-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-113-0890—For local assistance, Department of Health Care Services, for payment to Item 4260-113-0001, payable from the Federal Trust Fund.....	389,541,000
	324,726,000

Provisions:

1. Any of the provisions in Item 4260-113-0001 that are relevant to this item also apply to this item.

SEC. 311. Item 4260-117-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-117-0001—For local assistance, Department of Health Care Services, for implementation of the Health Insurance Portability and Accountability Act.....	3,667,000
	4,187,000

Schedule:

- (1) 20.10.010-Eligibility (County Administration)..... 4,732,000
- (2) 20.10.020-Fiscal Intermediary Management..... 14,207,000
| | 16,076,000 |
- (3) Amount payable from the Federal Trust Fund (Item 4260-117-0890)..... -15,272,000
| | -16,621,000 |

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.
2. Notwithstanding subdivision (a) of Section 1.80 and Section 26.00, the Department of Finance may authorize transfer of expenditure authority between Schedules (1) and (2). The Department of Finance shall notify the Legislature within 10 days of authorizing such transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted

pursuant to Section 14100.5 of the Welfare and Institutions Code.

3. Notwithstanding any other provision of law, the Department of Finance may authorize the transfer of expenditure authority between this item and Items 4260-101-0001, 4260-102-0001, 4260-111-0001, and 4260-113-0001 in order to effectively administer the programs funded in these items. The Department of Finance shall notify the Legislature within 10 days of authorizing such transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code. The 10-day notification to the Legislature shall include the reasons for the transfer, the fiscal assumptions used in calculating the transfer amount, and any potential fiscal effects on the program from which funds are being transferred or reduced.

SEC. 312. Item 4260-117-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-117-0890—For local assistance, Department of Health Care Services, for payment to Item 4260-117-0001, payable from the Federal Trust Fund, for implementation of the Health Insurance Portability and Accountability Act.....	15,272,000
	16,621,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.
2. Any of the provisions in Item 4260-117-0001 that are relevant to this item also apply to this item.

SEC. 313. Item 4260-495 is added to Section 2.00 of the Budget Act of 2009, to read:

4260-495—Reversion, Department of Health Care Services. As of June 30, 2009, the balances of the appropriations provided for in the following citations shall revert to the funds from which the appropriations were made:

0001—General Fund

(1) Item 4260-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008). Funds appropriated for the National Cooperative Bank Development Corporation Contract within the Assisted Living Waiver Pilot Project

0890—Federal Trust Fund

(1) Item 4260-001-0890, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008). Funds appropriated for the National Cooperative Bank Development Corporation Contract within the Assisted Living Waiver Pilot Project

SEC. 314. Item 4265-001-0070 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0070—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Occupational Lead Poisoning Prevention Account.....	2,741,000
	3,241,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

SEC. 315. Item 4265-001-0099 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0099—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Health Statistics Special Fund.....	23,974,000
	23,762,000

SEC. 316. Item 4265-001-0203 of Section 2.00 of the Budget Act of 2009 is amended to read:

1 4265-001-0203—For support of Department of Public Health,
 2 for payment to Item 4265-001-0001, payable from the
 3 Genetic Disease Testing Fund..... ~~18,043,000~~
 4 ~~18,480,000~~

5
 6 *SEC. 317. Item 4265-001-0234 of Section 2.00 of the Budget*
 7 *Act of 2009 is amended to read:*

8
 9 4265-001-0234—For support of Department of Public Health,
 10 for payment to Item 4265-001-0001, payable from the
 11 Research Account, Cigarette and Tobacco Products Surtax
 12 Fund..... ~~5,840,000~~
 13 ~~5,267,000~~

14
 15 *SEC. 318. Item 4265-001-0890 of Section 2.00 of the Budget*
 16 *Act of 2009 is amended to read:*

17
 18 4265-001-0890—For support of Department of Public Health,
 19 for payment to Item 4265-001-0001, payable from the
 20 Federal Trust Fund..... ~~217,659,000~~
 21 ~~219,476,000~~

22 Provisions:

- 23 1. Of the funds appropriated in this item, \$52,612,000
 24 shall be available for administration, research, and
 25 training projects. Notwithstanding Section 28.00, the
 26 State Department of Public Health shall report under
 27 that section any new project over \$200,000 or any in-
 28 crease in excess of \$400,000 for an identified project.
 29 2. The Department of Finance may authorize the transfer
 30 of expenditure authority from this item to Item 4265-
 31 111-0890 in order to reflect modifications in the use
 32 of federal bioterrorism grants. Transfers pursuant to
 33 this provision may not be approved sooner than 30
 34 days after notification in writing is provided to the
 35 chairpersons of the committees in each house of the
 36 Legislature that consider appropriations and the
 37 Chairperson of the Joint Legislative Budget Commit-
 38 tee, or no sooner than whatever lesser time the chair-
 39 person of the joint committee, or his or her designee,
 40 may in each instance determine.

3. Notwithstanding any other provision of law, federal moneys made available for bioterrorism preparedness pursuant to this act shall be available for expenditure or encumbrance until August 30, 2010.
4. The State Department of Public Health shall notify the fiscal and relevant policy committees of the Legislature in a timely manner regarding the federal government's approval of the state's application for cooperative agreement for funding from the federal Centers for Disease Control and Prevention's Public Health Preparedness and Response to Bioterrorism Program. The notification shall include a summary of all policy and fiscal changes made by the federal government to the state's application. If additional changes are made throughout the fiscal year, the department shall notify the fiscal and relevant policy committees of the Legislature in a similar manner.

SEC. 319. Item 4265-001-3098 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-3098—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the State Department of Public Health Licensing and Certification Program Fund.....	88,729,000
	90,202,000

SEC. 320. Item 4265-111-0009 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-111-0009—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Breast Cancer Control Account.....	10,736,000
	24,536,000

Provisions:

1. *Of the amount appropriated in this item, up to \$6,300,000 shall be available for costs and claims incurred in the 2008–09 fiscal year.*

4265-111-0231—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund.....	47,354,000
	54,154,000

4265-111-0232—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund.....	21,106,000
---	------------

4265-111-0233—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund.....	3,470,000
--	-----------

4265-111-0236—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund.....	29,302,000
	23,340,000

4

4265-111-0890—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Federal Trust Fund..... 1,310,207,000
1,375,555,000

Provisions:

1. Of the funds appropriated in this item, \$61,868,000 shall be available for administration, research, and training projects. Notwithstanding the provisions of Section 28.00, the State Department of Public Health shall report under that section any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.
2. Notwithstanding any other provision of law, federal moneys made available for bioterrorism preparedness pursuant to this act shall be available for expenditure or encumbrance until August 30, 2010.
3. Any provisions in Item 4265-111-0001 that are relevant to this item shall apply to this item.

SEC. 326. Item 4265-111-6031 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-111-6031—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002..... 2,558,000
167,229,000

Provisions:

1. The amount appropriated in this item shall be available for expenditure until June 30, 2012.

SEC. 327. Item 4265-111-6051 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4265-111-6051—For local assistance, State Department of Public Health, for payment to Item 4265-111-0001, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 36,200,000~~

Provisions:

1. ~~The amount appropriated in this item shall be available for expenditure until June 30, 2012.~~

SEC. 328. Item 4265-115-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-115-0890—For transfer by the Controller from the Federal Trust Fund to the Safe Drinking Water State Revolving Loan Fund..... 77,500,000
152,405,000

Provisions:

1. The amount appropriated in this item shall be available for transfer until June 30, 2012.

SEC. 329. Item 4265-115-6031 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-115-6031—For transfer by the Controller from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 to the Safe Drinking Water State Revolving Loan Fund..... 17,000,000
32,499,000

Provisions:

1. The amount appropriated in this item shall be available for transfer until June 30, 2012.

SEC. 330. Item 4265-116-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-116-0890—For transfer by the Controller to various federal funds..... (10,114,000)
(15,264,000)

Provisions:

1. Pursuant to Chapter 734, of the Statutes of 1997, the State Department of Public Health may transfer funds appropriated in this item to the Administration Account (0625), Water System Reliability Account (0626), Small System Technical Assistance Account (0628), and the Public Water System, Safe Drinking Water

State Revolving Fund (7500) for the purpose of administering the California Safe Drinking Water Act. In addition, the *State* Department of Public Health may transfer funds between the ~~above mentioned~~ *above-mentioned* funds.

2. Upon notification to the Department of Finance, the *State* Department of Public Health may increase the amount appropriated in this item for transfer to the funds cited in Provision 1.

SEC. 331. Item 4265-301-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

4265-301-0001—For capital outlay, Department of Public Health.....	3,117,000
Schedule:	
(1) 94.65.010—Upgrade Viral and Rickettsial Disease Laboratory, Richmond—Construction.....	3,117,000

SEC. 332. Item 4265-401 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-401—Notwithstanding Provision 2 of Item 4260-011-0099 of the Budget Act of 2004 (Ch. 208, Stats. 2004) and Provision 1 of *Item 4260-011-0099* of the Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), the \$1,500,000 loan authorized to the Medical Marijuana Program Fund shall be fully repaid to the Health Statistics Special Fund by June 30, 2012, with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the loan.

SEC. 333. Item 4265-495 is added to Section 2.00 of the Budget Act of 2009, to read:

4265-495—*Reversion, Department of Public Health. As of June 30, 2009, the unencumbered balances of the appropriations provided in the following citations shall revert to the fund balance of the fund from which the appropriations were made:*

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 4260-111-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 4260-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2) Item 4260-111-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(3) Item 4265-111-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(4) Item 4265-111-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(5) Item 4260-115-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 4260-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(6) Item 4260-115-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(7) Item 4265-115-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(8) Item 4265-115-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

SEC. 334. Item 4265-496 is added to Section 2.00 of the Budget Act of 2009, to read:

4265-496—Reversion, Department of Public Health. As of June 30, 2009, the balances specified below of the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriations were made:

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) Item 4265-111-6051, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), up to \$35,600,000 appropriated in Program 20.60-Environmental Health

SEC. 335. Item 4265-497 is added to Section 2.00 of the Budget Act of 2009, to read:

4265-497—Reversion, Department of Public Health. As of June 30, 2009, the unencumbered balances of the appropriations provided in the following citations shall revert to the fund balance from which the appropriations were made:
0009—Breast Cancer Control Account
(1) Item 4265-001-0009, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
(2) Item 4265-111-0009, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

SEC. 336. Item 4270-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4270-001-0001—For support of California Medical Assistance Commission..... 1,293,000
Schedule:
(1) 10-California Medical Assistance Com-
mission..... 2,557,000
2,586,000
(2) Reimbursements..... -1,264,000
-1,293,000

SEC. 337. Item 4280-101-0236 of Section 2.00 of the Budget Act of 2009 is repealed.

~~*4280-101-0236—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program..... 175,000*~~
~~*Schedule:*~~
~~*(1) 40-Healthy Families Program..... 175,000*~~

SEC. 338. Item 4280-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-101-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-101-0001, payable from the Federal Trust Fund, for the Healthy Families Program..... 751,191,000
700,472,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4280-102-0890 in order to effectively administer the Healthy Families Program.

SEC. 339. Item 4280-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-102-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-102-0001, payable from the Federal Trust Fund, for Healthy Families Program administrative contracts..... 40,534,000
36,212,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4280-101-0890 in order to effectively administer the Healthy Families Program.

SEC. 340. Item 4280-103-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-103-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-103-3055, payable from the Federal Trust Fund, for the County Health Initiative Matching Fund Program..... 1,247,000
1,039,000

Provisions:

1. Provisions 1, 2, and 3 of Item 4280-103-3055 also apply to this item.

SEC. 341. Item 4280-103-3055 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	4280-103-3055—For local assistance, Managed Risk Medical	
2	Insurance Board, for the County Health Initiative Matching	
3	Fund Program.....	672,000
4		559,000
5	Schedule:	
6	(1) 50-County Health Initiative Matching	
7	Fund Program.....	1,919,000
8		1,598,000
9	(2) Amount payable from the Federal Trust	
10	Fund (Item 4280-103-0890).....	-1,247,000
11		-1,039,000
12	Provisions:	
13	1. Upon order of the Department of Finance, the Con-	
14	troller shall transfer such funds as are necessary be-	
15	tween this item and Item 4280-003-0890 or Item 4280-	
16	003-3055 in order to effectively administer the County	
17	Health Initiative Matching Fund program. The Depart-	
18	ment of Finance may also authorize the establishment	
19	of positions in order to allow the Managed Risk	
20	Medical Insurance Board to effectively administer the	
21	County Health Initiative Matching Fund program.	
22	2. Funds in this item are subject to the availability, as	
23	determined by the Department of Finance, of federal	
24	State Children's Health Insurance Program funds not	
25	needed for state-funded health programs, including,	
26	but not limited to, the Healthy Families Program and,	
27	as funded by the federal State Children's Health Insur-	
28	ance Program, the Access for Infants and Mothers	
29	Program, and the Medi-Cal program. To determine	
30	the availability of funds, all entities participating in	
31	the County Health Initiative Matching Fund program,	
32	as a condition of receiving funds, shall submit, on or	
33	before August 1 and February 1 of each year, an esti-	
34	mate of expenditures under this item to the Managed	
35	Risk Medical Insurance Board. The Managed Risk	
36	Medical Insurance Board shall reflect this information	
37	in the November and May estimates provided to the	
38	Department of Finance.	
39	3. To provide for the effective use of federal State Chil-	
40	dren's Health Insurance Program funds in the County	

Health Initiative Matching Fund program and notwithstanding Section 28.00, this item may be reduced or increased by the Department of Finance not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the joint committee, or his or her designee, may in each instance determine.

SEC. 342. Item 4280-104-0236 of Section 2.00 of the Budget Act of 2009 is repealed.

4280-104-0236—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program Rural Health Demonstration Project.....	729,000
Schedule:	
(1) 40-Healthy Families Program.....	2,083,000
(2) Amount payable from Federal Trust Fund (Item 4280-104-0890).....	-1,354,000

SEC. 343. Item 4280-104-0890 of Section 2.00 of the Budget Act of 2009 is repealed.

4280-104-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-104-0236, payable from the Federal Trust Fund, for the Healthy Families Program Rural Health Demonstration Project....	1,354,000
--	----------------------

SEC. 344. Item 4280-111-0232 of Section 2.00 of the Budget Act of 2009 is repealed.

4280-111-0232—For transfer by the Controller from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund to the Perinatal Insurance Fund, for the Access for Infants and Mothers Program.....	(44,035,000)
Provisions:	
1. In order to effectively administer the Access for Infants and Mothers Program, the Department of Finance may	

decrease or increase this item in order to conform the
appropriation to revised subvention estimates.

*SEC. 345. Item 4280-111-0233 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4280-111-0233—For transfer by the Controller from the
Physician Services Account, Cigarette and Tobacco
Products Surtax Fund to the Perinatal Insurance Fund, for
the Access for Infants and Mothers Program..... (12,770,000)
(4,819,000)

Provisions:

1. In order to effectively administer the Access for Infants
and Mothers Program, the Department of Finance may
decrease or increase this item in order to conform the
appropriation to revised subvention estimates.

*SEC. 346. Item 4280-111-0236 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4280-111-0236—For transfer by the Controller from the Unal-
located Account, Cigarette and Tobacco Products Surtax
Fund to the Perinatal Insurance Fund, for the Access for
Infants and Mothers Program..... (904,000)
(19,447,000)

Provisions:

1. In order to effectively administer the Access for Infants
and Mothers Program, the Department of Finance may
decrease or increase this item in order to conform the
appropriation to revised subvention estimates.

*SEC. 347. Item 4280-112-0232 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4280-112-0232—For transfer by the Controller from the Hos-
pital Services Account, Cigarette and Tobacco Products
Surtax Fund to the Major Risk Medical Insurance Fund,
for the Major Risk Medical Insurance Program..... (6,818,000)
(2,928,000)

SEC. 348. Item 4280-112-0233 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-112-0233—For transfer by the Controller from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program..... ~~(2,121,000)~~
(12,206,000)

SEC. 349. Item 4280-112-0236 is added to Section 2.00 of the Budget Act of 2009, to read:

4280-112-0236—For transfer by the Controller from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program..... (5,212,000)

SEC. 350. Item 4280-112-3133 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-112-3133—For transfer by the Controller from the Managed Care Administrative Fines and Penalties Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program..... ~~(500,000)~~
(774,000)

Provisions:

1. In order to effectively administer the Major Risk Medical Insurance Program, the Department of Finance may decrease or increase this item in order to conform to the revised transfer estimate from the Managed Care Administrative Fines and Penalties Fund.

SEC. 351. Item 4300-003-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-003-0001—For support of Department of Developmental Services, for Developmental Centers..... ~~355,995,000~~
278,036,000

Schedule:

(1) 20-Developmental Centers Program....	672,131,000
	656,425,000
(2) Reimbursements.....	-315,618,000
	-377,871,000
(3) Amount payable from the Federal Trust	
Fund (Item 4300-003-0890).....	-518,000

Provisions:

1. A loan shall be available from the General Fund to the State Department of Developmental Services not to exceed a cumulative total of \$77,000,000. The loan funds will be transferred to this item as needed to meet cashflow needs due to delays in collecting reimbursements from the Health Care Deposit Fund, and subject to the repayment provisions of Section 16351 of the Government Code.
2. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-001-0001 in order to appropriately align General Fund and Medi-Cal reimbursements from the State Department of Health Care Services with budgeted activities. Within 10 working days after approval of a transfer as authorized by this provision, the Department of Finance shall notify the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee of the transfer, including the amount transferred, how the amount was determined, and how the amount will be utilized.
3. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001. Within 10 working days after approval of a transfer as authorized by this provision, the Department of Finance shall notify the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee of the transfer, including the amount transferred, how the amount transferred was determined, and how the amount transferred will be utilized.

4. The State Department of Developmental Services (DDS) shall notify the chairperson of each fiscal committee and policy committee of each house of the Legislature of specific outcomes resulting from citations and the results of annual surveys conducted by the State Department of Public Health, as well as findings of any other—government governmental agency authorized to conduct investigations or surveys of state developmental centers. The DDS shall forward the notifications, including a copy of the specific findings, to the chairpersons of the committees within 10 working days of its receipt of these findings. The DDS also shall forward these findings, within three working days of submission, to the appropriate investigating agency. In addition, the DDS shall provide notification to the chairpersons of the committees, within three working days, of its receipt of information concerning any investigation initiated by the United States Department of Justice and the private nonprofit corporation designated by the Governor pursuant to Division 4.7 (commencing with Section 4900) of the Welfare and Institutions Code or concerning any findings or recommendations resulting from any of these investigations.

SEC. 352. Item 4300-004-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-004-0001—For support of Department of Developmental Services (Proposition 98), for Developmental Centers.....	7,539,000
	7,321,000
Schedule:	
(1) 20-Developmental Centers Program.....	10,299,000
	9,848,000
(a) 20.17-AB 1202 Contracts.....	780,000
(b) 20.66-Medi-Cal Eligible Services.....	9,519,000
	9,068,000

(2) Reimbursements..... ~~-2,760,000~~
~~-2,527,000~~

Provisions:

1. Of the amount appropriated in this item, \$2,760,000 is to be used to provide the General Fund match for Medi-Cal Eligible Services.

SEC. 353. Item 4300-101-0172 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-101-0172—For local assistance, Department of Developmental Services, for payment to Item 4300-101-0001, payable from the Developmental Disabilities Program Development Fund..... ~~1,592,000~~
2,492,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Finance may authorize expenditures for the State Department of Developmental Services in excess of the amount appropriated no sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the joint committee, or his or her designee, may in each instance determine.

SEC. 354. Item 4300-101-0496 is added to Section 2.00 of the Budget Act of 2009, to read:

4300-101-0496—For local assistance, Department of Developmental Services, for payment to Item 4300-101-0001, payable from the Developmental Disabilities Services Account..... 150,000

SEC. 355. Item 4300-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-101-0890—For local assistance, Department of Developmental Services, for Regional Centers, for payment to Item 4300-101-0001, payable from the Federal Trust Fund.....

	51,234,000
	78,118,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-001-0890 in order to effectively administer the Early Intervention federal grant program (Part C of the Individuals with Disabilities Education Act).
2. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-003-0890 in order to effectively administer the Foster Grandparent Program.
3. Notwithstanding Section 26.00, the Department of Finance may authorize transfer of expenditure authority between Programs 10.10.010-Operations and 10.10.020-Purchase of Services in order to more accurately reflect expenditures in the Early Intervention federal grant program (Part C of the Individuals with Disabilities Education Act).

SEC. 356. Item 4300-101-3148 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4300-101-3148—For local assistance, Department of Developmental Services, payable from the Proposition 10 Health and Human Services Fund~~ 265,000,000

SEC. 357. Item 4300-103-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-103-0001—For local assistance, Department of Developmental Services, Program 10.10.020-Regional Centers: Purchase of Services, Risk Pool, Self-Directed Services....

	1,184,000
	9,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary be-

tween this item and Item 4300-101-0001 in order to effectively administer the Self-Directed Services Risk Pool Fund.

SEC. 358. Item 4300-301-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-301-0001—For capital outlay, Department of Developmental Services..... 32,680,000
9,468,000

Schedule:

- (1) 55.25.270-Fairview: Upgrade Fire Alarm System—Working drawings and construction..... 9,147,000
- (2) ~~55.50.470-Porterville: Renovate Satellite Kitchens and Dining Rooms—Construction.....~~ 19,691,000
- (3) 55.55.350-Sonoma: Install Medical Gases and Oxygen Piping—Working drawings and construction..... 3,842,000
321,000

Provisions:

- ~~1. Notwithstanding any other provision of law, the project funded in Schedule (2) shall be considered part of the Porterville New Main Kitchen project funded in Item 4300-301-0660 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).~~

SEC. 359. Item 4440-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-001-0890—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Federal Trust Fund..... 3,506,000
3,524,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4440-101-0890.

4440-001-3085—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Mental Health Services Fund.....	38,860,000
	<i>40,124,000</i>

1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to subdivision (d) of Section 5892 of the Welfare and Institutions Code.
2. Notwithstanding any other provision of law, the Department of Finance may increase the funding provided in this item to further the implementation of the Mental Health Services Act (Proposition 63, as approved by the voters at the November 2, 2004, statewide general election). Any increase may occur not sooner than 30 days after written notification has been provided to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and the appropriate subcommittees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee identifying the need for that increase and the expenditure plan for the additional funds.
3. The State Department of Mental Health shall annually provide to the Department of Finance a Fund Condition Statement of the Housing Support Account (special deposit account) which shall be annually published in the Governor's January 10 Budget. It is the intent of the Legislature to utilize this information to track the fiscal allocations made for the Housing Initiative Program as established under the Mental Health Services Act.

SEC. 361. Item 4440-011-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-011-0001—For support of the State Hospitals, Department of Mental Health..... 1,175,178,000
1,193,423,000

Schedule:

(1) 20.10-Long-Term Care Services—
Lanterman-Petris-Short Act..... 89,878,000
81,443,000

(2) 20.20-Long-Term Care Services—
Penal Code and Judicially Committed..... 1,050,464,000
1,043,384,000

(3) 20.30-Long-Term Care Services—Department of Corrections and Rehabilitation..... 128,141,000
153,466,000

(4) Reimbursements..... -93,305,000
-84,732,000

(5) Amount payable from California State Lottery Education Fund..... -138,000

Provisions:

1. Upon order of the Department of Finance, and following 30-day notification to the Joint Legislative Budget Committee, the Controller shall transfer between this item and Item 4440-016-0001 those funds that are necessary for direct community services, as well as administrative and ancillary services related to the provision of direct services.
2. Upon approval of the State Department of Mental Health, a portion of the funds appropriated in Schedule (2) shall be available to reimburse counties for the cost of treatment and legal services to patients in the five State Department of Mental Health State Hospitals, pursuant to Section 4117 of the Welfare and Institutions Code. Expenditures made under this item shall be charged to either the fiscal year in which the claim is received or the fiscal year in which the Controller issues the warrant. Claims filed by local jurisdictions for legal services may be scheduled by the Controller for payment.

- 1 3. The reimbursements identified in Schedule (4) shall
2 include amounts received by the State Department of
3 Mental Health as a result of billing for Lanterman-
4 Petris-Short (LPS) Act state hospital bed day expendi-
5 tures attributable to conservatees who are gravely
6 disabled as defined in subparagraph (B) of paragraph
7 (1) of subdivision (h) of Section 5008 of the Welfare
8 and Institutions Code (Murphy Conservatee).
- 9 4. The Controller shall transfer the total amount at-
10 tributable in the 2009–10 fiscal year to patient-gener-
11 ated collections for Lanterman-Petris-Short (LPS) Act
12 patients as revenue to the General Fund.
- 13 5. Notwithstanding any other provision of law, funds
14 appropriated to accommodate projected hospital pop-
15 ulation levels in excess of those that actually material-
16 ize, if any, shall revert to the General Fund. However,
17 the Department of Finance may approve an increase
18 in expenditures that are not related to caseload for the
19 state hospitals through the redirection of funding that
20 is reasonably believed not to be needed for accommo-
21 dating projected hospital population levels if the ap-
22 proval is made in writing and filed with the Chairper-
23 son of the Joint Legislative Budget Committee and
24 the chairpersons of the committees of each house of
25 the Legislature that consider appropriations not later
26 than 30 days prior to the effective date of the approval,
27 or prior to whatever lesser time the Chairperson of the
28 Joint Legislative Budget Committee, or his or her de-
29 signee, may in each instance determine. All notifica-
30 tions shall include (a) the reason for the proposed
31 redirection of caseload funding to expenditures that
32 are not related to caseload, (b) the approved amount,
33 and (c) the basis of the Director of Finance’s determi-
34 nation that the funding is not needed for accommodat-
35 ing projected hospital population levels.
- 36 6. Notwithstanding Section 26.00, the Department of
37 Finance may authorize the transfer of expenditure au-
38 thority between Schedules (1), (2), and (3) in order to
39 accurately reflect caseload in these programs.

7. Of the amount appropriated in this item, \$4,280,000 is available only to provide appropriate treatment to individuals found incompetent to stand trial and who have not been committed to a state hospital. These funds may be encumbered no earlier than 30 days, or a lesser amount of time as determined by the Chairperson of the Joint Legislative Budget Committee or his or her designee, after the Department of Finance provides a written expenditure plan for these funds to the chairpersons of the fiscal committees in each house of the Legislature, and to the Chairperson of the Joint Legislative Budget Committee.
8. The State Department of Mental Health shall provide the fiscal and policy committees of the Legislature, including the Chairperson of the Joint Legislative Budget Committee, and the Department of Finance with a quarterly update on the progress of the hiring plan to ensure appropriate active treatment for patients, state licensure requirements, and in meeting the Consent Judgment with the United States Department of Justice regarding the federal Civil Rights of Institutionalized Persons Act (CRIPA). This quarterly update shall be provided within 10 working days of the close of the quarter to ensure the exchange of timely and relevant information.

SEC. 362. Item 4440-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-101-0001—For local assistance, Department of Mental	
Health.....	288,015,000
	352,697,000
Schedule:	
(1) 10.25-Community Services—Other	
Treatment.....	629,875,000
	586,638,000
(2) 10.30-Community Services—	
EPSDT.....	824,513,000
	1,003,988,000

1	(3) 10.47-Community Services—Children’s	
2	Mental Health Services.....	310,000
3	(4) 10.97-Community Services—Healthy	
4	Families Program.....	31,981,000
5		32,683,000
6	(5) 10.98-Community Services—Continued	
7	Implementation of the MHSA.....	40,000,000
8		0
9	(6) Reimbursements.....	-1,238,664,000
10		-1,270,922,000

Provisions:

1. Augmentations to reimbursements in this item from the Office of Emergency Services for Disaster Relief are exempt from Section 28.00. The State Department of Mental Health shall provide written notification to the Joint Legislative Budget Committee describing the nature and planned expenditure of these augmentations when the amount received exceeds \$200,000.
2. It is the intent of the Legislature that local expenditures for mental health services for Medi-Cal eligible individuals serve as the match to draw down maximum federal financial participation to continue the Short-Doyle/Medi-Cal program.
3. It is the intent of the Legislature for counties to consider ways to provide services similar to those established pursuant to the Mentally Ill Offender Crime Reduction Grant Program using Mental Health Services Act Funds, as referenced in Section 5813.5 of the Welfare and Institutions Code and as appropriate under this act.
4. *Notwithstanding any other provision of law, an additional \$34,897,000 (\$15,796,000 General Fund) in expenditures for Schedule (2) has been deferred until the 2010–11 fiscal year. This deferral includes funding for the 2006–07 cost settlement and county shares of costs.*

SEC. 363. Item 4440-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-101-0890—For local assistance, Department of Mental
Health, payable from the Federal Trust Fund..... 59,457,000
60,691,000

Schedule:

- (1) 10.25-Community Services—Other
Treatment..... 52,075,000
52,343,000
- (2) 10.75-Community Services—Homeless
Mentally Disabled..... 7,382,000
8,348,000

Provisions:

- 1. The funds appropriated in this item are for assistance to local agencies in the establishment and operation of mental health services, in accordance with Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.
- 2. The State Department of Mental Health may authorize advance payments of federal grant funds on a monthly basis to the counties for grantees. These advance payments may not exceed one-twelfth of Section 2.00 of the individual grant award for the 2009–10 fiscal year.
- 3. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4440-001-0890.

SEC. 364. Item 4440-101-3085 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-101-3085—For local assistance, Department of Mental
Health, payable from the Mental Health Services Fund.... 238,804,000
12,150,000

Schedule:

- (1) 10.98-Community Services—Continued
Implementation of the Mental Health
Services Act..... 12,150,000
52,150,000
- (2) ~~10.30-Community Services—~~
~~EPSDT~~..... 226,654,000
- (3) Reimbursements..... -40,000,000

Provisions:

1. ~~It is the intent of the Legislature to appropriately fund the Early and Periodic Screening Diagnostic and Treatment Program using General Fund support to obtain federal matching funds in the event Mental Health Services Act funds are not available for this purpose.~~

SEC. 365. Item 4700-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4700-001-0890—For support of Department of Community Services and Development, payable from the Federal Trust Fund..... ~~12,304,000~~
28,368,000

Schedule:

- (1) 20-Energy Programs..... ~~9,486,000~~
25,550,000
(2) 40-Community Services..... 3,346,000
(3) 50.01-Administration..... 4,838,000
(4) 50.02-Distributed Administration..... -4,838,000
(5) Reimbursements..... -528,000

Provisions:

1. On a federal fiscal year basis, the Department of Community Services and Development shall make the following program allocation for the community services block grant, as a percentage of the total block grant:
(a) Administration..... 5 percent

SEC. 366. Item 4700-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4700-101-0890—For local assistance, Department of Community Services and Development, for assistance to individuals and payments to service providers, payable from the Federal Trust Fund..... ~~154,286,000~~
309,565,000

Schedule:

(1) 20-Energy Programs.....	92,154,000
	158,282,000
(2) 40-Community Services.....	62,132,000
	151,283,000

Provisions:

1. On a federal fiscal year basis, the ~~department~~ *Department of Community Services and Development* shall make the following program allocations for the community services block grant as a percentage of the total block grant:

(a) Discretionary.....	5 percent
(b) Migrant and seasonal farmworkers.....	10 percent
(c) Native American Indian programs.....	3.9 percent
(d) Community action agencies and rural community services.....	76.1 percent
(d) <i>Community action agencies and rural community services.....</i>	<i>76.1 percent</i>

All grantees under the community services block grant program are subject to standard state contracting procedures required under the program.

2. Funds scheduled in ~~Item 4700-101-0890~~ *this item* may be transferred to Item 4700-001-0890 for the administration of the Low Income Home Energy Assistance Program, subject to approval of the Department of Finance.

SEC. 367. Item 5160-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5160-001-0001—For support of Department of Rehabilitation.... 58,071,000

Schedule:

(1) 10-Vocational Rehabilitation Services.....	385,972,000
	429,572,000
(2) 30-Independent Living Services.....	3,307,000
	5,175,000
(3) 40.01-Administration.....	33,475,000

1	(4) 40.02-Distributed Administration.....	-33,475,000
2	(6) Reimbursements.....	-7,900,000
3	(7) Amount payable from the Vending	
4	Stand Fund (Item 5160-001-0600).....	-3,361,000
5	(8) Amount payable from the Federal	
6	Trust Fund (Item 5160-001-0890).....	-319,727,000
7		-365,195,000
8	(9) Amount payable from the Mental Health	
9	Services Fund (Item 5160-001-3085)....	-220,000
10	Provisions:	
11	1. Upon order of the Director of Finance, the Controller	
12	shall transfer such funds as are necessary between this	
13	item and Item 4300-101-0001 to provide for the	
14	transportation costs to and from work activity pro-	
15	grams of clients who are receiving vocational rehabil-	
16	itation services through the Vocational Rehabilita-	
17	tion/Work Activity Program (VR/WAP).	
18	2. The Department of Rehabilitation shall maximize its	
19	use of certified time as a match for federal vocational	
20	rehabilitation funds. To the extent that certified time	
21	is available, it shall be used in lieu of the General Fund	
22	moneys.	
23	3. Upon order of the Director of Finance, the Controller	
24	shall transfer the General Fund share of budgeted client	
25	costs as necessary between this item and Item 4300-	
26	101-0001 to provide for the net transfer of clients, re-	
27	sulting from program closures, between the Depart-	
28	ment of Rehabilitation and the State Department of	
29	Developmental Services. The amount transferred shall	
30	be based on the amount budgeted per client by each	
31	department for the remainder of the fiscal year.	

32
33 *SEC. 368. Item 5160-001-0890 of Section 2.00 of the Budget*
34 *Act of 2009 is amended to read:*

35		
36	5160-001-0890—For support of Department of Rehabilitation,	
37	for payment to Item 5160-001-0001, payable from the	
38	Federal Trust Fund.....	319,727,000
39		365,195,000

Provisions:

1. The amount appropriated in this item that is payable from federal Social Security Act funds for vocational rehabilitation services for SSI/SSDI recipients shall be expended only to the extent that funds received exceed the amount appropriated in Item 5160-101-0890 that is payable from the federal Social Security Act funds. It is the intent of the Legislature that first priority of federal Social Security Act funding be given to independent living centers in the amount of federal Social Security Act funding appropriated in Item 5160-101-0890.

SEC. 369. Item 5160-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5160-101-0890—For local assistance, Department of Rehabilitation, payable from the Federal Trust Fund.....	15,736,000
	19,028,000

Schedule:

- | | |
|---|------------|
| (1) 30-Independent Living Services..... | 15,736,000 |
| | 19,028,000 |

SEC. 370. Item 5175-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-001-0001—For support of Department of Child Support Services.....	27,883,000
	24,645,000

Schedule:

- | | |
|--|-------------|
| (1) 10-Child Support Services..... | 82,644,000 |
| | 73,121,000 |
| (2) Reimbursements..... | -123,000 |
| (3) Amount payable from the Federal Trust Fund (Item 5175-001-0890)..... | -54,638,000 |
| | -48,353,000 |

SEC. 371. Item 5175-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

1 5175-001-0890—For support of Department of Child Support
 2 Services, for payment to Item 5175-001-0001, payable
 3 from the Federal Trust Fund..... ~~54,638,000~~
 4 ~~48,353,000~~

5
 6 *SEC. 372. Item 5175-101-0001 of Section 2.00 of the Budget*
 7 *Act of 2009 is amended to read:*
 8

9 5175-101-0001—For local assistance, Department of Child
 10 Support Services..... ~~264,172,000~~
 11 ~~226,971,000~~

12 Schedule:

13 (1) 10-Child Support Services..... ~~841,701,000~~
 14 ~~813,190,000~~

15 (a) 10.01-Child Support
 16 Administration..... ~~749,310,000~~
 17 ~~750,055,000~~

18 (b) 10.03-Child Support
 19 Automation..... ~~92,391,000~~
 20 ~~63,135,000~~

21 (2) Amount payable from the Federal
 22 Trust Fund (Item 5175-101-0890)..... ~~—434,066,000~~
 23 ~~—442,756,000~~

24 (3) Amount payable from the Child Sup-
 25 port Collections Recovery Fund (Item
 26 5175-101-8004)..... ~~—143,463,000~~

27 Provisions:

- 28 1. No funds appropriated in this item shall be encumbered
 29 unless every rule or regulation adopted and every child
 30 support services letter or similar instruction issued by
 31 the Department of Child Support Services that adds
 32 to the costs of the child support program is approved
 33 by the Department of Finance as to the availability of
 34 funds before it becomes effective. In making the deter-
 35 mination as to availability of funds to meet the expen-
 36 ditures of a rule, regulation, or child support services
 37 letter that would increase the costs of the program, the
 38 Department of Finance shall consider the amount of
 39 the proposed increase on an annualized basis, the effect
 40 the change would have on the expenditure limitations

for the program set forth in this act, the extent to which the rule, regulation, or child support services letter constitutes a deviation from the premises under which the expenditure limitations were prepared, and any additional factors relating to the fiscal integrity of the program or the state's fiscal situation.

Notwithstanding Section 28.00, the availability of funds contained in this item for child support program rules, regulations, or child support services letters that add to program costs funded from the General Fund in excess of \$500,000 on an annual basis, including those that are the result of federal regulations but excluding those that are (a) specifically required as a result of the enactment of a federal or state law, or (b) included in the appropriation made by this act, shall not be approved by the Department of Finance sooner than 30 days after notification in writing of the necessity therefor to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the joint committee, or his or her designee, may in each instance determine. Funds appropriated in this item are for the child support program consisting of state and federal statutory law, regulations, and court decisions, if funds necessary to carry out those decisions are specifically appropriated in this act.

2. Notwithstanding any other provision of law, a loan not to exceed \$136,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of the program when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state or to cover the federal share of child support collections for which the federal funds have been reduced prior to the collections being received from the counties. This loan from the General Fund shall be repaid when the federal share of costs for the program becomes available or when the collections are received from the counties.

3. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0001 in order to allow the state to perform the functions or oversee the functions of the local child support agency in the event a county fails to perform that function or is out of compliance with state performance standards.
4. It is the intent of the Legislature that the California Child Support Automation Project receive the highest commitment and priority of all of the state's child support automation activities.
5. The amounts appropriated in Schedule (1)(b) 10.03-Child Support Automation shall be available for expenditure or encumbrance until June 30, 2010. The Department of Finance shall provide notification to the Joint Legislative Budget Committee of the amount of the carryover within 10 working days from the date the amount of the carryover is determined.
6. *The General Fund appropriation reduced for this item is reduced by \$500,000 for the California Child Support Automation System. The Director of Finance, in consultation with the Department of Child Support Services, shall apportion this reduction among contracts, state operations, local assistance, and personnel, with corresponding adjustments to federal funds authority.*

SEC. 373. Item 5175-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-101-0890—For local assistance, Department of Child Support Services, for payment to Item 5175-101-0001, payable from the Federal Trust Fund.....	434,066,000
	442,756,000

Provisions:

1. Provisions 1 and 5 of Item 5175-101-0001 also apply to this item.
2. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0890 in order to allow the

state to perform the functions or oversee the functions of the local child support agency in the event a county fails to perform that function or is out of compliance with state performance standards.

3. Notwithstanding Section 28.00 or any other provision of law, upon request of the Department of Child Support Services, the Department of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5175-101-8004. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

4. From the federal funds appropriated in Schedule (1)(b) of Item 5175-101-0001 (10.03-Child Support Automation), an amount not to exceed \$78,811,000 shall be available for expenditure or encumbrance until June 30, 2010. The Department of Finance shall provide notification to the Joint Legislative Budget Committee of the amount of the carryover within 10 working days from the date that the amount of the carryover is determined. Notwithstanding Section 28.00 or any other provision of law, upon request of the Department of Child Support Services, the Department of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5175-101-8004. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

SEC. 374. Item 5180-001-0270 of Section 2.00 of the Budget Act of 2009 is amended to read:

1 5180-001-0270—For support of Department of Social Services,
 2 payable from the Technical Assistance Fund..... ~~24,595,000~~
 3 ~~23,791,000~~

4
 5 *SEC. 375. Item 5180-001-0890 of Section 2.00 of the Budget*
 6 *Act of 2009 is amended to read:*

7
 8 5180-001-0890—For support of Department of Social Services,
 9 for payment to Item 5180-001-0001, payable from the
 10 Federal Trust Fund..... ~~369,097,000~~
 11 ~~367,987,000~~

12 Provisions:

- 13 1. The Department of Finance may authorize the transfer
 14 of federal funds from this item to Item 5180-151-0890
 15 in order to allow counties to perform the adoption
 16 program functions and the facilities evaluation function
 17 in the Community Care Licensing Division of the State
 18 Department of Social Services.
- 19 2. Provision 5 of Item 5180-001-0001 also applies to this
 20 item.
- 21 3. Of the amount appropriated in this item, \$5,505,000
 22 shall be available to support relocation efforts related
 23 to the renovation of the State Department of Social
 24 Services' headquarters (state-owned Office Buildings
 25 No. 8 and No. 9). These funds may be expended only
 26 to the extent that relocation costs materialize and are
 27 necessary to accommodate the Department of General
 28 Services' renovation project schedule.

29
 30 *SEC. 376. Item 5180-101-0122 of Section 2.00 of the Budget*
 31 *Act of 2009 is amended to read:*

32
 33 5180-101-0122—For local assistance, Department of Social
 34 Services, for payment to Item 5180-101-0001, payable
 35 from the Emergency Food Assistance Program Fund..... ~~476,000~~
 36 ~~639,000~~

37
 38 *SEC. 377. Item 5180-101-0514 is added to Section 2.00 of the*
 39 *Budget Act of 2009, to read:*

5180-101-0514—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Employment Training Fund..... 20,000,000

Provisions:

1. Pursuant to Section 1611.5 of the Unemployment Insurance Code, funds appropriated in this item are available for CalWORKs welfare-to-work activities.

SEC. 378. Item 5180-101-3148 of Section 2.00 of the Budget Act of 2009 is repealed.

~~5180-101-3148—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Proposition 10 Health and Human Services Fund..... 164,000,000~~

SEC. 379. Item 5180-101-8004 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-101-8004—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Child Support Collections Recovery Fund..... 7,751,000
8,374,000

Provisions:

1. Notwithstanding any other provision of law, upon request by the State Department of Social Services, the Department of Finance may increase or decrease this appropriation, for the purposes of Section 17702.5 of the Family Code. Adjustments to expenditure authority shall be consistent with those made pursuant to Provision 4 of Item 5180-101-0890. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

SEC. 380. Item 5180-111-3148 of Section 2.00 of the Budget Act of 2009 is repealed.

1 ~~5180-111-3148—For local assistance, Department of Social~~
 2 ~~Services, for payment to Item 5180-111-0001, payable~~
 3 ~~from the Proposition 10 Health and Human Services Fund~~
 4 67,000,000

5
 6 *SEC. 381. Item 5180-101-0890 of Section 2.00 of the Budget*
 7 *Act of 2009 is amended to read:*

8
 9 5180-101-0890—For local assistance, Department of Social
 10 Services, for payment to Item 5180-101-0001, payable
 11 from the Federal Trust Fund..... 3,936,766,000
 12 4,466,139,000

13 Provisions:

- 14 1. Provisions 1, 4, 6, 7, 8, and 9 of Item 5180-101-0001
- 15 also apply to this item.
- 16 2. The Director of Finance may authorize the transfer of
- 17 amounts from this item to Item 5180-001-0890 in order
- 18 to fund the costs of the administrative hearing process
- 19 associated with changes in aid payments in the Cal-
- 20 WORKs program.
- 21 3. For the purpose of broadening access to federal Child
- 22 and Adult Care Food Program benefits for low-income
- 23 children in proprietary child care centers, the State
- 24 Department of Social Services may transfer up to
- 25 \$10,000,000 of the funds appropriated in this item for
- 26 Program 16.30—CalWORKs, from the Temporary
- 27 Assistance for Needy Families (TANF) block grant to
- 28 the Social Services Block Grant (Title XX) pursuant
- 29 to authorization in the federal Personal Responsibility
- 30 and Work Opportunity Reconciliation Act of 1996
- 31 (P.L. 104-193). The Title XX funds shall be pooled
- 32 with TANF funds appropriated in this item for Cal-
- 33 WORKs Child Care. This transfer shall occur only if
- 34 the Director of Finance approves the pooling of Title
- 35 XX funds with Child Care and Development Fund or
- 36 TANF funds, or both.
- 37 4. Upon request of the State Department of Social Ser-
- 38 vices, the Director of Finance may increase or decrease
- 39 the expenditure authority in this item to offset any in-
- 40 creases or decreases in collections deposited in the

Child Support Collections Recovery Fund and appropriated in Item 5180-101-8004. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

SEC. 382. Item 5180-141-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-141-0001—For local assistance, Department of Social	
Services.....	542,393,000
	<i>571,081,000</i>

Schedule:

(1) 16.75-County Administration and	
Automation Projects.....	1,339,015,000
	<i>1,405,128,000</i>
(2) Reimbursements.....	-72,503,000
	<i>-68,867,000</i>
(3) Amount payable from the Federal	
Trust Fund (Item 5180-141-0890).....	-724,119,000
	<i>-765,180,000</i>

Provisions:

1. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$127,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of a program when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state. This loan from the General Fund shall be repaid when the federal share of costs for the program or programs becomes available.
2. In the event of declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. Upon recommendation of the Director of Social Services, the Department of Finance may

1 authorize the transfer of funds from ~~Items 5180-141-~~
2 ~~0001~~ *this item* and *Item 5180-141-0890*, to Items 5180-
3 001-0001 and 5180-001-0890, for this purpose.

4 3. Provision 1 of Item 5180-101-0001 also applies to this
5 item.

6 4. Pursuant to public assistance caseload estimates reflect-
7 ed in the annual Governor's Budget, the Department
8 of Finance may approve expenditures in those amounts
9 made necessary by changes in caseload that are in ex-
10 cess of amounts appropriated in this act. If the Depart-
11 ment of Finance determines that the estimate of expen-
12 ditures will exceed the expenditures authorized for
13 this item, the department shall so report to the Legisla-
14 ture. At the time the report is made, the amount of the
15 appropriation made by this item shall be increased by
16 the amount of the excess unless and until otherwise
17 provided by law.

18 5. Nonfederal funds appropriated in this item which have
19 been budgeted to meet the state's Temporary Assis-
20 tance for Needy Families maintenance-of-effort require-
21 ment established pursuant to the federal Personal Re-
22 sponsibility and Work Opportunity Reconciliation Act
23 of 1996 (P.L. 104-193) may not be expended in any
24 way that would cause their disqualification as a feder-
25 ally allowable maintenance-of-effort expenditure.

26 6. Section 11.00 shall apply to contracts entered into for
27 the development and implementation of the Consor-
28 tium IV, Interim Statewide Automated Welfare Sys-
29 tem, Los Angeles Eligibility, Automated Determina-
30 tion, Evaluation, and Reporting, and Welfare Client
31 Data Systems consortia of the Statewide Automated
32 Welfare System.

33 7. Upon request of the Department of Finance, the Con-
34 troller shall transfer funds between this item and Item
35 5180-153-0001 as needed to reflect the estimated ex-
36 penditure amounts for each county that opts into the
37 Title IV-E Child Welfare Waiver Demonstration Pro-
38 ject pursuant to Section 18260 of the Welfare and In-
39 stitutions Code. The Department of Finance shall re-
40 port to the Legislature the amount to be transferred

pursuant to this provision. The transfer shall be authorized at the time the report is made.

SEC. 383. Item 5180-141-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-141-0890—For local assistance, Department of Social Services, for payment to Item 5180-141-0001, payable from the Federal Trust Fund.....	724,119,000
	765,180,000

Provisions:

- Provisions 2, 3, 4, 6, and 7 of Item 5180-141-0001 also apply to this item.

SEC. 384. Item 5180-151-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-151-0001—For local assistance, Department of Social Services.....	634,529,000
	763,375,000

Schedule:

- 25.30-Children and Adult Services and Licensing..... ~~2,185,920,000~~
2,159,705,000
- 25.35-Special Programs..... ~~26,525,000~~
26,853,000
- Reimbursements..... ~~-143,099,000~~
-153,144,000
- Amount payable from the Child Health and Safety Fund (Item 5180-151-0279)..... -1,264,000
- Amount payable from the State Children's Trust Fund (Item 5180-151-0803)..... -3,755,000
- Amount payable from the Federal Trust Fund (Item 5180-151-0890)..... ~~-1,313,798,000~~
-1,261,020,000

(7) Amount payable from the Child Welfare
Services Program Improvement Fund
(Item 5180-151-8023)..... -4,000,000

(8) ~~Amount payable from the Proposition~~
~~10 Health and Human Services Fund~~
~~(Item 5180-151-3148)..... -112,000,000~~

Provisions:

1. Provision 1 of Item 5180-101-0001 also applies to this item.
2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$50,000,000 shall be made available from the General Fund from funds not otherwise appropriated, to cover the federal share of costs of a program when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state. That loan from the General Fund shall be repaid when the federal share of costs for the program becomes available.
3. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5180-001-0001, in order to allow the state to perform the facilities evaluation function of Community Care Licensing in the event the counties fail to perform that function.
4. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
5. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5180-001-0001, in order to allow the state to perform the adoptions function in the event that a county notifies the State Department of Social

Services that it intends to cease performing that function.

6. (a) Of the amount appropriated in this item, \$57,836,000 shall be provided to counties to fund additional child welfare services activities and shall be allocated based on child welfare services caseload and county unit costs. However, no county shall receive less than \$100,000. These funds shall be expressly targeted for emergency response, family reunification, family maintenance, and permanent placement services and shall be used to supplement, and shall not be used to supplant, child welfare services funds. A county is not required to provide a match of the funds received pursuant to this provision if the county appropriates the required full match for the county's child welfare services program exclusive of the funds received pursuant to this provision. These funds are available only to counties that have certified that they are fully utilizing the Child Welfare Services/Case Management System (CWS/CMS) or have entered into an agreed-upon plan with the State Department of Social Services outlining the steps that will be taken to achieve full utilization. The department shall reallocate any funds that counties choose not to accept under this provision, to other counties based on the allocation formula specified in this provision.
- (b) The department, in collaboration with the County Welfare Directors Association and representatives from labor groups representing social workers, shall develop the definition of full utilization of the CWS/CMS, the method for measuring full utilization, the process for the state and counties to work together to move counties toward full utilization, and measurements of progress toward full utilization.
7. The State Department of Social Services shall consult with the counties, children's advocates, and current and former foster youth in the development and imple-

mentation of permanency and youth services initiatives.

8. Upon request by the Department of Finance, the Controller shall transfer funds between this item and Item 5180-153-0001 as needed to reflect the estimated expenditure amounts for each county that opts into the Title IV-E Child Welfare Waiver Demonstration Project pursuant to Section 18260 of the Welfare and Institutions Code. The Department of Finance shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.

9. It is the intent of the Legislature to fund Program 25.30-Children and Adult Services Licensing of this item using General Fund moneys in the event the Proposition 10 funds identified in Item 5180-151-3148 are not available for this purpose.

SEC. 385. Item 5180-151-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-151-0890—For local assistance, Department of Social Services, for payment to Item 5180-151-0001, payable from the Federal Trust Fund.....	1,313,798,000
	1,261,020,000

Provisions:

1. Provisions 1, 3, 5, 6, and 8 of Item 5180-151-0001 also apply to this item.

SEC. 386. Item 5180-151-3148 of Section 2.00 of the Budget Act of 2009 is repealed.

5180-151-3148—For local assistance, Department of Social Services, for payment to Item 5180-151-0001, payable from the Proposition 10 Health and Human Services Fund.....	112,000,000
--	------------------------

SEC. 387. Item 5180-153-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-153-0890—For local assistance, Department of Social
Services, for payment to Item 5180-153-0001, payable
from the Federal Trust Fund..... ~~481,417,000~~
~~503,274,000~~

Provisions:

1. Upon request by the Department of Finance, the Controller shall transfer funds between this item and Items 5180-101-0890, 5180-141-0890, and 5180-151-0890 as needed to reflect the estimated expenditure amounts for each county that opts into the Title IV-E Child Welfare Waiver Demonstration Project pursuant to Section 18260 of the Welfare and Institutions Code. In addition, funds appropriated in this item may also be transferred to Item 5180-151-0890 for the Child Welfare Services Outcome Improvement Project. The Department of Finance shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.

SEC. 388. Item 5225-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-001-0001—For support of Department of Corrections
and Rehabilitation..... ~~6,887,426,000~~
~~6,161,656,000~~

Schedule:

- (1) 10-Corrections and Rehabilitation Administration..... ~~396,054,000~~
~~382,569,000~~
- (3) 15-Corrections Standards Authority..... 11,945,000
- (4) 20-Juvenile Operations..... ~~255,030,000~~
~~254,146,000~~
- (5) 21-Juvenile Education, Vocations, and Offender Programs..... 13,125,000
- (6) 22-Juvenile Paroles..... ~~33,747,000~~
~~33,555,000~~
- (7) 23-Juvenile Health Care..... ~~82,699,000~~
~~84,907,000~~

1	(8) 25-Adult Corrections and Rehabilita-	
2	tion Operations.....	5,118,266,000
3		5,152,129,000
4	(9) 30-Parole Operations—Adult.....	826,375,000
5		788,099,000
6	(10) 35-Board of Parole Hearings.....	126,328,000
7		110,931,000
8	(11) 40-Community Partnerships.....	16,629,000
9		15,517,000
10	(12) 45-Education, Vocations, and Offender	
11	Programs—Adult.....	612,378,000
12		554,916,000
13	(13) Reimbursements.....	-128,461,000
14		-486,583,000
15	(13.5) 97.20.001-Unallocated Reduc-	
16	tion.....	-400,000,000
17		-677,502,000
18	(14) Amount payable from the Corrections	
19	Training Fund (Item 5225-001-0170)....	-2,693,000
20	(15) Amount payable from the Federal Trust	
21	Fund (Item 5225-001-0890).....	-7,292,000
22	(16) Amount payable from the Inmate	
23	Welfare Fund (Item 5225-001-	
24	0917).....	-66,704,000
25		-66,113,000
26	Provisions:	
27	1. Any funds recovered as a result of audits of locally	
28	operated return-to-custody centers shall revert to the	
29	General Fund.	
30	2. When contracting with counties for vacant jail beds	
31	for any inmate under the jurisdiction of the Secretary	
32	of the Department of Corrections and Rehabilitation,	
33	the department shall not reimburse counties more than	
34	the average amount it costs the state to provide the	
35	same services in comparable state institutions. This	
36	restriction shall not apply to any existing contract, but	
37	shall apply to the extension or renewal of that contract.	
38	In addition, the total operational cost of incarcerating	
39	state inmates in leased county jail beds (which includes	
40	state costs, but is exclusive of one-time and capital	

- 1 outlay costs) shall not exceed the department's average
2 cost for operating comparable institutions.
- 3 3. Notwithstanding any other provision of law, but sub-
4 ject to providing 30 days' prior notification to the Joint
5 Legislative Budget Committee, funds appropriated in
6 Schedule (8) or (9), or both, may be transferred to Item
7 5225-101-0001, Schedule (7), upon order of the Direc-
8 tor of Finance, to provide funds for the reimbursement
9 of counties for the cost of holding parole violators in
10 local jail.
- 11 4. Not later than 60 days following enactment of this act,
12 and subsequently on February 10 and upon release of
13 the May Revision, the Secretary of the Department of
14 Corrections and Rehabilitation shall submit to the Di-
15 rector of Finance the Post Assignment Schedule for
16 each adult institution, reconciled to budgeted authority
17 and consistent with approved programs, along with
18 allotments consistent with the reconciled Post Assign-
19 ment Schedule for each adult institution.
- 20 5. Not later than February 17, 2010, the Secretary of the
21 Department of Corrections and Rehabilitation shall
22 submit to the chairpersons and vice chairpersons of
23 the committees in both houses of the Legislature that
24 consider the State Budget and to the Legislative Ana-
25 lyst's Office an operating budget for each of the cor-
26 rectional facilities under the control of the department.
27 Specifically, the report shall include: (a) ~~year-end~~
28 ~~yearend~~ expenditures by program for each institution
29 in the 2008–09 fiscal year, (b) allotments and projected
30 expenditures by program for each institution in the
31 2009–10 fiscal year, (c) the number of authorized and
32 vacant positions, estimated overtime budget, estimated
33 benefits budget, and operating expense and equipment
34 budget for each institution, and (d) a list of all capital
35 outlay projects occurring or projected to occur during
36 the 2009–10 fiscal year.
- 37 6. Funds appropriated to accommodate projected adult
38 institutional and parolee population levels in excess
39 of those that actually materialize, if any, shall revert
40 to the General Fund.

- 1 7. ~~Of the amount appropriated in Schedule (1);~~
2 \$3,270,000 is for contract costs to provide employees
3 of the Department of Corrections and Rehabilitation
4 with tuberculosis testing and Hepatitis B vaccinations.
5 Any funds not expended for this purpose by June 30,
6 2010, shall revert to the General Fund. The Department
7 of Corrections and Rehabilitation shall report actual
8 contract expenditures to the Department of Finance.
9 No later than January 10, 2010, the Department of
10 Corrections and Rehabilitation (DCR), in consultation
11 with the Office of the Receiver, shall report to the
12 budget committees of both houses of the Legislature
13 on its overtime expenditures for security staff (correc-
14 tional officers, sergeants, and lieutenants) in the
15 2008–09 and 2009–10 fiscal years, including both
16 security staff under the direction of the DCR and the
17 Office of the Receiver. This report shall (a) identify
18 the total budgeted resources available to DCR and
19 the Office of the Receiver for security staff overtime
20 (including funding for correctional relief officers and
21 overtime funding for medical guarding and transporta-
22 tion), (b) compare the total budgeted resources to ac-
23 tual overtime expenditures and describe how DCR
24 and the Office of the Receiver accommodated any
25 identified funding shortfall, (c) identify the estimated
26 amount by which different factors (such as vacancy
27 rates) drive overtime costs, (d) provide an estimate of
28 the DCR's and the Office of the Receiver's actual need
29 for overtime funding, and (e) include a plan for how
30 DCR and the Office of the Receiver will control over-
31 time expenditures in the future.
- 32 8. Notwithstanding any other provision of law, and no
33 sooner than 30 days after notifying the Joint Legisla-
34 tive Budget Committee and the chairpersons of the
35 fiscal committees in each house of the Legislature, the
36 Department of Finance may reduce the amount appro-
37 priated in this item commensurate with savings identi-
38 fied by the Department of Corrections and Rehabilita-
39 tion related to the implementation of reforms to the
40 Division of Juvenile Justice during the 2009–10 fiscal

year. Program reductions may be made to Programs 20, 21, 22, and 23. Reductions shall not be made below funding levels needed to maintain compliance with the Farrell Remedial Plans.

9. (a) *The funds appropriated in this item are restricted for use by the Department of Corrections and Rehabilitation for the specific programmatic and operational purposes specified in the Supplemental Report of the Budget Act of 2009. The department shall provide two reports identifying its progress toward expending these funds during the 2009–10 fiscal year to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature. The first report shall be due February 1, 2010, and shall separately detail the activities of the first two quarters of the 2009–10 fiscal year. The second report shall be due May 1, 2010, and shall display the activities for the third quarter of the 2009–10 fiscal year. The funds identified in the Supplemental Report of the Budget Act of 2009 shall be utilized for the purposes specified, and any unspent funds shall revert to the General Fund.*
- (b) *In situations where fluctuations in population result in lower expenditure levels as identified in the department's population budget change proposals, these savings shall be captured in the population funding estimates and may be used to offset other population-related expenditure increases.*
- (c) *After providing a 30-day notification period to the Joint Legislative Budget Committee, the department may expend funds identified in the Supplemental Report of the Budget Act of 2009 on other identified needs.*
10. *The Department of Corrections and Rehabilitation (DCR) shall continue its efforts in consultation with legislative staff and the Department of Finance to create a more accurate and transparent population budget request for caseload-related funding. In partic-*

ular, DCR shall identify appropriate funding formulas to use to estimate staffing levels and funding associated with changes in the projected inmate, parolee, and ward populations. These formulas shall be presented to the Legislature no later than January 10, 2010, so as to be considered during budget deliberations. If approved, these formulas shall be incorporated into DCR's budget request the following year.

11. The Budget Act of 2009 reflects a reduction in funding for inmate and parolee programs designed to reduce recidivism. The Department of Corrections and Rehabilitation shall implement these reductions consistent with the following requirements: (a) the department shall prioritize the preservation of programs for which there is evidence-based on studies of the programs operated by the department or in the national literature—that they are effective at reducing recidivism, (b) the department shall seek to achieve savings through more efficient operations in the delivery of these programs, (c) the department shall seek to place inmates and parolees into programs for which they are best suited by prioritizing the placement of offenders who are assessed as higher risk to reoffend, demonstrate a significant need for the services provided for a particular program, and who have a sufficient amount of time left to serve in prison to reasonably complete the program or, at a minimum, make a reasonable amount of progress that it is possible to have an impact on their likelihood of recidivating, (d) the department shall seek to prioritize the elimination of vacant positions over laying off existing staff, (e) the department shall seek to use available resources to maximize the number of inmates and parolees who have access to and complete programs, and (f) the department shall seek to maximize the use of federal or other funds to maintain or enhance inmate and parolee programs. No later than August 15, 2009, the department shall report to the Joint Legislative Budget Committee a detailed plan as to how it will achieve savings from inmate and parolee programs, as well as how that

plan is consistent with the requirements of this provision. No later than April 15, 2010, the department shall report to the joint committee regarding its progress in achieving these savings.

SEC. 389. Item 5225-001-0917 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-001-0917—For support of Department of Corrections and Rehabilitation, for payment to Item 5225-001-0001, payable from the Inmate Welfare Fund.....	66,704,000
	66,113,000

SEC. 390. Item 5225-002-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-002-0001—For support of Department of Corrections and Rehabilitation.....	2,262,086,000
	2,171,944,000

Schedule:

(1) 10-Corrections and Rehabilitation Administration.....	8,548,000
	8,614,000
(2) 25-Adult Corrections and Rehabilitation operations.....	261,530,000
	261,419,000
(3) 50.10-Medical Services—Adult.....	1,207,604,000
	1,134,953,000
(4) 50.20-Dental Services—Adult.....	180,917,000
	179,754,000
(5) 50.30-Mental Health Services—Adult.....	357,381,000
	341,358,000
(6) 50.40-Ancillary Health Care Services—Adult.....	195,710,000
(7) 50.50-Dental and Mental Health Services Administration—Adult.....	52,667,000
	52,407,000
(8) Reimbursements.....	-2,271,000

Provisions:

1. On February 14, 2006, the United States District Court in the case of *Plata v. Schwarzenegger* (No. C01-1351 THE) suspended the exercise by the Secretary of the Department of Corrections and Rehabilitation of all powers related to the administration, control, management, operation, and financing of the California prison medical health care system. The court ordered that all such powers vested in the Secretary of the Department of Corrections and Rehabilitation were to be performed by a Receiver appointed by the court commencing April 17, 2006, until further order of the court. The Director of the Division of Correctional Health Care Services of the Department of Corrections and Rehabilitation is to administer this item to the extent directed by the Receiver.
2. Notwithstanding any other provision of law, the Department of Corrections and Rehabilitation is not required to competitively bid for health services contracts in cases where contracting experience or history indicates that only one qualified bid will be received.
3. Notwithstanding Section 13324 of the Government Code or Section 32.00 of this act, no state employee shall be held personally liable for any expenditure or the creation of any indebtedness in excess of the amounts appropriated therefor as a result of complying with the directions of the Receiver or orders of the United States District Court in *Plata v. Schwarzenegger*.
4. The amounts appropriated in Schedules (2), (3), and (6) are available for expenditure by the Receiver appointed by the *Plata v. Schwarzenegger* court to carry out its mission to deliver constitutionally adequate medical care to inmates.
5. The amounts appropriated in Schedules (1), (4), (5), and (7) are available for expenditure by the Department of Corrections and Rehabilitation to provide mental health and dental services only.
6. (a) *The funds appropriated in this item are restricted for use by the Department of Corrections and*

Rehabilitation for the specific programmatic and operational purposes specified in the Supplemental Report of the Budget Act of 2009. The department shall provide two reports identifying its progress toward expending these funds during the 2009–10 fiscal year to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature. The first report shall be due February 1, 2010, and shall separately detail the activities of the first two quarters of the 2009–10 fiscal year. The second report shall be due May 1, 2010, and shall display the activities for the third quarter of the 2009–10 fiscal year. The funds identified in the Supplemental Report of the Budget Act of 2009 shall be utilized for the purposes specified, and any unspent funds shall revert to the General Fund.

(b) In situations where fluctuations in population result in lower expenditure levels as identified in the department’s population budget change proposals, these savings shall be captured in the population funding estimates and may be used to offset other population-related expenditure increases.

(c) After providing a 30-day notification period to the Joint Legislative Budget Committee, the department may expend funds identified in the Supplemental Report of the Budget Act of 2009 on other identified needs.

SEC. 391. Item 5225-011-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-011-0001—For support of Department of Corrections and Rehabilitation (Proposition 98).....	48,558,000 49,696,000
Schedule:	
(1) 21-Juvenile Education, Vocations, and Offender Programs.....	48,558,000 49,696,000

Provisions:

1. Notwithstanding any other provision of law, and no sooner than 30 days after notifying the Joint Legislative Budget Committee, and the chairpersons of the fiscal committees in each house of the Legislature, the Department of Finance may reduce the amount appropriated in this item commensurate with savings identified by the Department of Corrections and Rehabilitation related to the implementation of reforms to the Division of Juvenile Justice during the 2009–10 fiscal year. Program reductions may be made to Program 21. Reductions shall not be made below funding levels needed to maintain compliance with the Farrell Remedial Plans.

SEC. 392. Item 5225-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-101-0001—For local assistance, Department of Corrections and Rehabilitation..... ~~79,226,000~~
74,889,000

Schedule:

- | | |
|--|-------------------------------------|
| (1) 15-Corrections Standards Authority..... | 835,000 |
| (2) 20-Juvenile Operations..... | 78,000 |
| (3) 22-Juvenile Paroles..... | 1,403,000 |
| (4) 25.15.010-Adult Corrections and Rehabilitation Operations—Transportation of Inmates..... | 278,000 |
| (5) 25.15.020-Adult Corrections and Rehabilitation Operations—Return of Fugitives..... | 2,593,000 |
| (6) 25.30-Adult Corrections and Rehabilitation Operations—County Charges..... | 20,819,000 |
| (7) 30-Parole Operations—Adult..... | 53,220,000
48,883,000 |

Provisions:

1. The amount appropriated in Schedules (4), (5), (6), and (7) is provided for the following purposes:
- (a) To pay the transportation costs of prisoners to and between state prisons, including the return of pa-

role violators to prison and for the conveying of persons under provisions of Division 3 (commencing with Section 3000) of the Welfare and Institutions Code and the Western Interstate Corrections Compact (Section 11190 of the Penal Code), in accordance with Section 26749 of the Government Code. Claims filed by local jurisdictions shall be filed within six months after the end of the month in which those transportation costs are incurred. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.

(b) To pay the expenses of returning fugitives from justice from outside the state, in accordance with Sections 1389, 1549, and 1557 of the Penal Code. Claims filed by local jurisdictions shall be filed within six months after the end of the month in which expenses are incurred. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller, and any restitution received by the state for those expenses shall be credited to the appropriation of the year in which the Controller's receipt is issued. Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.

(c) To pay county charges, payable under Sections 4700.1, 4750 to 4755, inclusive, and 6005 of the Penal Code. Claims shall be filed by local jurisdictions within six months after the end of the month in which a service is performed by the coroner, a hearing is held on the return of a writ of habeas corpus, the district attorney declines to prosecute a case referred by the Department of Corrections and Rehabilitation, a judgment is rendered for a court hearing or trial, an appeal

1 ruling is rendered for the trial judgment, or an
2 activity is performed as permitted by these sec-
3 tions. Expenditures shall be charged to either the
4 fiscal year in which the claim is received by the
5 Controller or the fiscal year in which the warrant
6 is issued by the Controller. Claims filed by local
7 jurisdictions directly with the Controller may be
8 paid by the Controller.

- 9 (d) To reimburse counties for the cost of detaining
10 state parolees pursuant to Section 4016.5 of the
11 Penal Code. Claims shall be filed by local juris-
12 dictions within six months after the end of the
13 month in which the costs are incurred. Claims
14 filed by local jurisdictions may not include
15 booking fees, may not recover detention costs in
16 excess of ~~\$84.29~~ \$77.17 per day, and shall be
17 limited to the detention costs for those days on
18 which parolees are held subject only to a Depart-
19 ment of Corrections and Rehabilitation request
20 pursuant to subdivision (b) of Section 4016.5 of
21 the Penal Code. Expenditures shall be charged to
22 either the fiscal year in which the claim is received
23 by the Department of Corrections and Rehabilita-
24 tion or the fiscal year in which the warrant is is-
25 sued.

- 26 2. Notwithstanding any other provision of law, upon 30-
27 day prior notification to the Chairperson of the Joint
28 Legislative Budget Committee, funds appropriated in
29 Schedule (7) of this item may be transferred to
30 Schedule (8) or (9), or both, of Item 5225-001-0001,
31 upon order of the Director of Finance, to provide funds
32 for the reimbursement of counties for the cost of
33 holding parole violators in local jails or for the auditing
34 or monitoring of local assistance costs.

- 35 3. The amounts appropriated in Schedules (2) and (3)
36 are provided for the following purposes:

- 37 (a) To pay the transportation costs of persons commit-
38 ted to the Department of Corrections and Rehabil-
39 itation to or between its facilities, including the
40 return of parole violators, provided that expendi-

tures made under this item shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. However, claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred.

- (b) To reimburse counties, pursuant to Section 1776 of the Welfare and Institutions Code, for the cost of the detention of the Department of Corrections and Rehabilitation parolees who are detained on alleged parole violations, provided that expenditures made under this item shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. However, claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred.

SEC. 393. Item 5225-301-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-301-0001—For capital outlay, Department of Corrections and Rehabilitation, payable from the General Fund.....	39,776,000
	20,212,000
Schedule:	
(1) 61.01.001-Statewide: Budget Packages and Advance Planning—Study.....	2,000,000
(2) 61.01.115-Statewide: Reentry Facility Site Evaluations—Study and acquisition.....	5,000,000
(3) 61.01.204-Statewide: Small Management Exercise Yards— PSU (Psychiatric Services Unit and SHU)—Preliminary Security Housing Unit—Preliminary plans and working drawings.....	278,000

(7)	61.08.061-California Institution for Men, Chino: Housing Unit Fire, Life, and Safety Modifications—Preliminary plans, working drawings, and construction.....	1,777,000
(8)	61.13.016-California Institution for Women, Frontera: 20-Bed Psychiatric Services Unit—Construction.....	5,729,000
		6,433,000
(9)	61.14.030-Minor Projects.....	3,848,000
(11)	61.15.039-California—Rehabilitation Center, Norco: Install Bar Screen—Construction.....	959,000
(12)	61.16.021-Sierra Conservation Center, Jamestown: Effluent Disposal Pipeline—Construction.....	4,851,000
(13)	61.18.008-Mule Creek State Prison, Ione: Wastewater Treatment Plant Improvements—Construction.....	5,072,000
(14)	61.34.004-Ironwood State Prison, Blythe: Heating, Ventilation, and Air Conditioning System—Working drawings.....	9,192,000
(15)	61.47.007-California State Prison-Sacramento, Represa: Enhanced Outpatient Program, Facility B, Treatment and Office Space—Working drawings.....	1,070,000
		876,000

Provisions:

- The funds appropriated in Schedule (1) are to be allocated by the Department of Corrections and Rehabilitation, upon approval by the Department of Finance, to develop design and cost information for new projects for which funds have not been previously appropriated, but for which preliminary plan funds, working drawings funds, or working drawings and construction funds are expected to be included in the 2010–11 or 2011–12 Budget Act, and for which cost estimates or preliminary plans can be developed prior to legislative

hearings on the 2010–11 or 2011–12 Budget Acts, respectively. Upon approval by the Department of Finance, these funds may also be used to develop scope and cost information for projects authorized by Section 15819.40 of the Government Code. These funds may be used for all of the following: budget package development, environmental services, architectural programming, engineering assessments, schematic design, and preliminary plans. The amount appropriated in this item for these purposes is not to be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future year. Before using these funds for preliminary plans, the Department of Corrections and Rehabilitation shall provide a 20-day notification to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the respective fiscal committee of each house of the Legislature, and the legislative members of the State Public Works Board, discussing the scope, cost, and future implications of the use of funds for preliminary plans.

2. As used in this appropriation, studies shall include site studies and suitability reports, environmental studies, master planning, architectural programming and schematics.
3. The unexpended portion of funds appropriated in Schedules (8) and (15) shall be reverted if the projects for which they are appropriated are removed from the mental health bed plan, as approved by the Coleman Court, and are no longer necessary to meet the mental health space needs required by the Coleman Court.
4. The Department of Corrections and Rehabilitation shall report to, in writing, the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee by May 1, 2010, on the reconciliation of the funds appropriated in Schedule (9).
5. The funds appropriated in Schedule (2) are to be allocated by the Department of Corrections and Rehabili-

tation, upon approval of the Department of Finance, for site investigation and real estate due diligence activities preliminary to the site selection and acquisition of interests in real property. In performing these activities the Department of Corrections and Rehabilitation is authorized, upon approval of the State Public Works Board, to enter into agreements for the acquisition of an option to purchase real property.

SEC. 394. Item 5225-301-0660 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-301-0660—For capital outlay, Department of Corrections and Rehabilitation, payable from the Public Buildings Construction Fund..... 14,950,000
Schedule:

(1) 61.15.035-California Rehabilitation
Center, Norco: Replace Men's Dorms—
Construction..... 14,950,000

Provisions:

1. The State Public Works Board may issue lease-revenue bonds, notes, or bond anticipation notes pursuant to Chapter 5 (commencing with Section 15830) of Part 10b of Division 3 of Title 2 of the Government Code to finance the construction of the projects authorized by this item.
2. The Department of Corrections and Rehabilitation and the State Public Works Board are authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled projects.
3. The State Public Works Board shall not be deemed a lead or responsible agency for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) for any activities under the State Building Construction Act of 1955 (Part 10b (commencing with Section 15800) of Division 3 of Title 2 of the Government Code). This provision does not exempt the Department

of Corrections and Rehabilitation from the requirements of the California Environmental Quality Act. This provision is declaratory of existing law.

4. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure during the 2009–10 fiscal year, except appropriations for acquisitions which shall be available for expenditure until June 30, 2012, appropriations for working drawings which shall be available for expenditure until June 30, 2011, and appropriations for construction which shall be available for expenditure until June 30, 2014. In addition, the balance of the funds appropriated for construction that have not been allocated, through fund transfer or approval to bid, by the Department of Finance on or before June 30, 2012, shall revert as of that date to the fund from which the appropriation was made.

5. *Notwithstanding any other provision of law, the Department of Corrections and Rehabilitation shall not encumber or expend funds for the San Quentin Condemned Inmate Complex project, as authorized in the Budget Act of 2003 (Ch. 157, Stats. 2003) and the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), until the following conditions have been met: (a) the department determines it can legally double-cell condemned inmates, (b) federal court litigation on prison overcrowding currently before the three-judge panel convened under the Prison Litigation Reform Act (42 U.S.C. Sec. 1997 et seq.) in both Plata v. Schwarzenegger and Coleman v. Schwarzenegger is resolved, and (c) environmental impact review pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) is completed for any modifications to the proposed stormwater outfall.*

SEC. 395. *Item 5225-301-0747 of Section 2.00 of the Budget Act of 2009 is amended to read:*

5225-301-0747—For capital outlay, Department of Corrections
and Rehabilitation, payable from the 1988 Prison Construc-
tion Fund..... 1,646,000
750,000

Schedule:

(1) 61.06.020-Deuel Vocational Institution,
Tracy: New Minimum Support Dining
Facility—Preliminary plans, working
drawings, and construction..... 1,646,000
750,000

Provisions:

1. Notwithstanding any other provision of law, the funds
appropriated in this item shall be available during the
2009–10 fiscal year, except appropriations for working
drawings which shall be available for expenditure
until June 30, 2011, and appropriations for construc-
tion which shall be available until June 30, 2014. In
addition, the balance of the funds appropriated for
construction that have not been allocated, through
fund transfer or approval to bid, by the Department
of Finance on or before June 30, 2012, shall revert as
of that date to the fund from which the appropriation
was made.

SEC. 396. Item 5225-490 is added to Section 2.00 of the Budget
Act of 2009, to read:

5225-490—Reappropriation, Department of Corrections and
Rehabilitation. The balances of the appropriations provided
in the following citations are reappropriated for the pur-
poses provided in the appropriations and shall be available
for expenditure or encumbrance until June 30, 2010:

0001—General Fund

(1) Item 5225-101-0001, Budget Act of 2006 (Chs. 47 and
48, Stats. 2006). The balance of the funds appropriated
for the Juvenile Justice Community Reentry Challenge
Grant Program is reappropriated for that purpose
and shall be available for expenditure or encumbrance
until June 30, 2010.

SEC. 397. *Item 5225-491 is added to Section 2.00 of the Budget Act of 2009, to read:*

5225-491—Reappropriation, Department of Corrections and Rehabilitation. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations:

0001—General Fund

(1) Subdivision (a) of Section 28 of Chapter 7 of the Statutes of 2007

For capital outlay to renovate, improve, or expand infrastructure capacity at existing prison facilities. The balance of this appropriation shall be available for expenditure or encumbrance until June 30, 2013.

(2) Item 5225-301-0001, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(6) 61.06.029-Deuel Vocational Institution, Tracy: Groundwater Treatment/Non-Potable Water Distribution System—Construction

(3) Item 5225-301-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(7) 61.07.107-Folsom State Prison, Represa: Renovate Branch Circuit Wiring, Building No. 5—Construction

(9) 61.13.016-California Institution for Women, Frontera: 20-Bed Psychiatric Services Unit—Working drawings

(12) 61.15.039-California Rehabilitation Center, Norco: Install Bar Screen—Preliminary plans and working drawings

0660—Public Buildings Construction Fund

(1) Item 5225-301-0660, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 5225-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(4) 61.35.007-Salinas Valley State Prison, Soledad: 64 Bed Mental Health Facility—Construction

0751—1990 Prison Construction Bond Fund

(1) Item 5225-301-0751, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(1) 61.31.002-Pleasant Valley State Prison, Coalinga:
Bar Screen, Prelift Station—Construction

SEC. 398. Item 5225-496 is added to Section 2.00 of the Budget Act of 2009, to read:

5225-496—Reversion, Department of Corrections and Rehabilitation. As of June 30, 2009, the balances specified below of the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriations were made:

0001—General Fund

(1) \$20,000,000 from subdivision (a) of Section 28 of Chapter 7 of the Statutes of 2007

SEC. 399. Item 6110-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-001-0001—For support of Department of Education.....	40,401,000
	38,210,000

Schedule:

(2) 20-Instructional Support.....	155,628,000
-----------------------------------	-------------

158,747,000

(3) 30-Special Programs.....	51,273,000
------------------------------	------------

54,632,000

(4) 40-Executive Management and Special Services.....	9,795,000
---	-----------

(6) 42.01-Department Management and Special Services.....	33,684,000
---	------------

(7) 42.02-Distributed Department Management and Special Services.....	-33,684,000
---	-------------

(7.5) 97.20.001-Unallocated Reduction.....	-13,753,000
--	-------------

(8) Reimbursements.....	-16,163,000
-------------------------	-------------

-16,602,000

(9) Amount payable from Federal Trust Fund (Item 6110-001-0890).....	-145,715,000
--	--------------

-153,945,000

(10) Amount payable from Mental Health Services Fund (Item 6110-001-3085)....	-664,000
---	----------

Provisions:

1. Notwithstanding Section 33190 of the Education Code, or any other provision of law, the State Department of Education shall expend no funds to prepare (a) a statewide summary of student performance on school district proficiency assessments or (b) a compilation of information on private schools with five or fewer pupils.
2. Funds appropriated in this item may be expended or encumbered to make one or more payments under a personal services contract of a visiting educator pursuant to Section 19050.8 of the Government Code, a long-term special consultant services contract, or an employment contract between an entity that is not a state agency and a person who is under the direct or daily supervision of a state agency, only if all of the following conditions are met:
 - (a) The person providing service under the contract provides full financial disclosure to the Fair Political Practices Commission in accordance with the rules and regulations of the commission.
 - (b) The service provided under the contract does not result in the displacement of any represented civil service employee.
 - (c) The rate of compensation for salary and health benefits for the person providing service under the contract does not exceed by more than 10 percent the current rate of compensation for salary and health benefits determined by the Department of Personnel Administration for civil service personnel in a comparable position. The payment of any other compensation or any reimbursement for travel or per diem expenses shall be in accordance with the State Administrative Manual and the rules and regulations of the California Victim Compensation and Government Claims Board.
3. The funds appropriated in this item may not be expended for any REACH program.
4. The funds appropriated in this item may not be expended for the development or dissemination of program

advisories, including, but not limited to, program advisories on the subject areas of reading, writing, and mathematics, unless explicitly authorized by the State Board of Education.

5. Of the funds appropriated in this item, \$206,000 shall be available as matching funds for the Department of Rehabilitation to provide coordinated services to disabled pupils. Expenditure of the funds shall be identified in the memorandum of understanding or other written agreement with the Department of Rehabilitation to ensure an appropriate match to federal vocational rehabilitation funds.
6. Of the funds appropriated in this item, no less than \$2,420,000 is available for support of child care services, including state preschool.
7. Of the funds appropriated in this item, \$164,000 is provided solely for the purpose of funding existing positions from within the State Department of Education to provide the Curriculum Development and Supplemental Materials Commission with subject matter specialists.
8. Of the funds appropriated in this item, \$411,000, as subsequently adjusted for employee compensation, shall be available for costs associated with the administration of the High Priority Schools Grant Program pursuant to Article 3.5 (commencing with Section 52055.600) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code and the Immediate Intervention/Underperforming Schools Program pursuant to Article 3 (commencing with Section 52053) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.
9. By October 31 of each year, the State Department of Education (SDE) shall provide to the Department of Finance a file of all charter school average daily attendance (ADA) and state and local revenue associated with charter school general purpose entitlements as part of the P2 Revenue Limit File. By March 1, ~~2009~~ *of each year*, the SDE shall provide to the Department of Finance a file of all charter school ADA and state

1 and local revenue associated with charter school gen-
2 eral purpose entitlements as part of the P1 Revenue
3 Limit File. It is the expectation that such reports will
4 be provided annually.

- 5 10. On or before April 15, ~~2009~~ *of each year*, the State
6 Department of Education (SDE) shall provide to the
7 Department of Finance an electronic file that includes
8 complete district- and county-level state appropriations
9 limit information reported to the SDE. The SDE shall
10 make every effort to ensure that all districts have sub-
11 mitted the necessary information requested on the
12 relevant reporting forms.
- 13 11. The State Department of Education shall make infor-
14 mation available to the Department of Finance, the
15 Legislative Analyst's Office, and the budget commit-
16 tees of each house of the Legislature by October 31,
17 March 31, and May 31 of each year regarding the
18 amount of Proposition 98 savings estimated to be
19 available for reversion by June 30 of that year.
- 20 12. Of the reimbursement funds appropriated in this item,
21 \$2,000,000 shall be available to the State Department
22 of Education for nutrition education and physical ac-
23 tivity promotion pursuant to an interagency agreement
24 with the State Department of Public Health.
- 25 13. The report required by Section 60800 of the Education
26 Code for the physical performance test is not required
27 to be printed and mailed, but shall be compiled and
28 reported electronically.
- 29 14. Reimbursement expenditures pursuant to this item re-
30 sulting from the imposition by the State Department
31 of Education (SDE) of a commercial copyright fee
32 may not be expended sooner than 30 days after the
33 SDE submits to the Department of Finance a legal
34 opinion affirming the authority to impose such fees
35 and the arguments supporting that position against any
36 objections or legal challenges to the fee filed with the
37 SDE. Any funds received pursuant to imposition of a
38 commercial copyright fee may only be expended as
39 necessary for outside counsel contingent on a certifi-
40 cation of the Superintendent of Public Instruction that

1 sufficient expertise is not available within departmental
2 legal staff. The SDE shall not expend greater than
3 \$300,000 for such purposes without first notifying the
4 Department of Finance of the necessity ~~thereof~~ *there-*
5 *for*, and upon receiving approval in writing.

- 6 15. Of the funds appropriated in this item, \$300,000 is
7 provided on a one-time basis for legal representation
8 from the office of the Attorney General in litigation
9 related to the California High School Exit Examination.
10 The State Department of Education (SDE) shall
11 provide a report to the Department of Finance and the
12 Legislature detailing the expenditures of these funds
13 and providing an update on any such litigation on
14 November 1, 2009, and every four months thereafter,
15 with the final report due on June 30, 2010. The office
16 of the Attorney General shall provide the SDE any
17 information, including budget and expenditure data,
18 necessary for the SDE to complete its reports to the
19 Department of Finance and the Legislature.

- 20 16. Of the funds appropriated in this item, \$181,000 shall
21 only be available to support a \$181,000 interagency
22 agreement with the California Career Resource Net-
23 work to provide continuing support for the operations
24 of that organization.

- 25 17. Of the amount appropriated in this item, \$139,000
26 from reimbursement funds may be expended for ad-
27 ministering the Education Technology K–12 Voucher
28 Program pursuant to the Microsoft settlement.

- 29 18. Of the funds appropriated in this item, up to
30 \$1,011,000 is for dispute resolution services, including
31 mediation and fair hearing services, provided through
32 contract for special education programs.

- 33 19. Of the reimbursement funds appropriated in this item,
34 \$422,000 shall be available to the State Department
35 of Education (*SDE*) to contract for assistance in devel-
36 oping an approved listing of food and beverage items
37 that comply with the nutrition standards of Chapters
38 235 and 237 of the Statutes of 2005. In order to fund
39 the development and maintenance of the approved
40 product listing, the ~~State Department of Education~~

SDE shall collect a fee, as it deems appropriate, from vendors seeking to have their ~~product~~ *products* reviewed for potential placement on the approved product listing. Reimbursements collected in the 2009–10 fiscal year may be used to offset costs incurred in the 2007–08 and 2008–09 fiscal years.

20. Of the funds appropriated in Schedule (2), up to \$540,000 is for transfer by the Controller to the State Instructional Materials Fund for allocation during the ~~2008–09~~ *2009–10* fiscal year pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of the Education Code.

These funds shall be transferred in amounts claimed by the State Department of Education (*SDE*), for direct disbursement by the *SDE* from the Instructional Materials Fund.

21. Of the reimbursement funds appropriated in Schedule (8), \$500,000 is for the support of “Green” California Partnership Academies pursuant to legislation enacted in the 2007–08 Regular Session. These funds shall be available for expenditure until June 30, 2011.

22. Of the reimbursement funds appropriated in Schedule (8), \$138,000 is for purposes of overseeing State Board of Education-approved charter schools.

- ~~23. Of the funds appropriated in this item, \$2,191,000 is available on a one-time basis for the State Department of Education (*SDE*) to fund 3.0 limited-term positions through June 30, 2010, and contract costs associated with the development of the California Longitudinal Teacher Integrated Data Education System (*CALTIDES*). By September 30, 2010, the *SDE* shall submit a detailed report of the expenditures authorized under this provision to the appropriate budget and policy committees of the Legislature, the Legislative Analyst’s Office, and the Department of Finance.~~

24. Of the reimbursement funds appropriated in this item, \$474,000 is provided to the State Department of Education for the oversight of State Board of Education-authorized charter schools. The Department of Finance

may administratively establish up to 5.0 positions for this purpose as workload materializes.

25. *Of the reimbursements appropriated in Schedule (8) of this item, \$439,000 and 2.0 limited-term positions until July 1, 2011, inclusive, pursuant to an agreement with the California Children and Families Commission, shall be available to the State Department of Education to support the activities of the Early Learning Quality Improvement System Advisory Committee established by Chapter 307 of the Statutes of 2008.*

SEC. 400. Item 6110-001-0231 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-001-0231—For support of Department of Education, Program 20.10.045-Instructional Support, Curriculum Services-Health and Physical Education-Drug Free Schools, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund, pursuant to Article 1 (commencing with Section 104420) of Chapter 1 of Part 3 of the Health and Safety Code.....	927,000
	864,000

SEC. 401. Item 6110-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-001-0890—For support of Department of Education, for payment to Item 6110-001-0001, payable from the Federal Trust Fund.....	145,715,000
	153,945,000

Provisions:

- The funds appropriated in this item include federal Carl D. Perkins Vocational and Technical Education Act of 2006 funds for the 2007–08 fiscal year to be transferred to community colleges by means of interagency agreements. These funds shall be used by community colleges for the administration of career technical education programs.

2. Of the funds appropriated in this item, \$96,000 is available to the Advisory Commission on Special Education for the in-state travel expenses of the commissioners and the secretary to the commission.
3. Of the funds appropriated in this item, \$426,000 is available for programs for homeless youth and adults pursuant to the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11431 et seq.). The State Department of Education shall consult with the Department of Community Services and Development, the State Department of Mental Health, the Department of Housing and Community Development, and the Commission for Economic Development in operating this program.
4. Of the funds appropriated in this item, up to \$364,000 shall be used to provide in-service training for special and regular educators and related persons, including, but not limited to, parents, administrators, and organizations serving severely disabled children. These funds are also to provide up to 4.0 positions for this purpose.
5. Of the funds appropriated in this item, \$318,000 shall be used to provide training in culturally nonbiased assessment and specialized language skills to special education teachers.
6. (a) Of the funds appropriated in this item, ~~\$11,765,000~~ *\$12,015,000* is from the Child Care and Development Block Grant Fund and is available for support of child care services. *Of this amount, \$250,000 shall be available to support a contract for consulting services to conduct a study of the characteristics of families and costs of care pursuant to Provision 13 of Item 6110-196-0001.* ~~Of this amount~~ *the federal funds in this item, \$1,533,000* is for 13.0 positions to address compliance monitoring and overpayments, which may contribute to early detection of fraud. All federally subsidized child care agencies shall be audited pursuant to federal regulations per Part 98 of Title 45 of the Code of Federal Regulations. The State Department of Education (SDE) shall

1 provide information to the Legislature and Depart-
2 ment of Finance each year that quantifies by pro-
3 gram provider-by-provider level data, including
4 instances and amounts of overpayments and fraud,
5 as documented by the SDE's compliance monitor-
6 ing efforts for the prior fiscal year. Additionally,
7 the SDE shall provide a copy of any federal re-
8 ports submitted regarding improper payments and
9 fraud to the Legislature and the Department of
10 Finance.

11 (b) As a condition of receiving the resources specified
12 in subdivision (a), every alternative payment
13 agency and subsidized general child care agency
14 will be audited each year using sufficient sampling
15 of provider records of the following: (1) family
16 fee determinations, (2) income eligibility, (3) rate
17 limits, and (4) basis for hours of care, to determine
18 compliance rates, any instances of misallocation
19 of resources, and the amount of funds expected
20 to be recovered from instances of both potential
21 fraud and overpayment when no intent to defraud
22 is suspected. This information will be contained
23 in a separate report for each provider, with a sin-
24 gle statewide summary report annually submitted
25 to the Governor and the Legislature no later than
26 April 15.

27 (c) *The SDE shall develop a plan by October 1, 2009,*
28 *for reducing overpayments and recovering pay-*
29 *ments from child care and development programs*
30 *that the SDE has determined to have been made*
31 *in error related either to potential fraud or over-*
32 *payments. The plan shall be submitted to the De-*
33 *partment of Finance by October 1, 2009, for*
34 *consideration and potential inclusion in the Jan-*
35 *uary Governor's Budget. The plan shall provide*
36 *options and recommendations for payment recov-*
37 *ery that seek to maximize California's receipt and*
38 *use of federal funds and for implementing aggres-*
39 *sive corrective measures to minimize payment*
40 *errors. Those corrective measures may include*

rebidding contracts for contractors with high error rates and modifying the contract funding terms and conditions to require reductions to administrative allowances for contractors that exceed specified maximum error rates and prohibit payment to providers that continue to submit erroneous reports for reimbursement purposes. Prior to submitting recommendations, the SDE shall review options with the State Department of Social Services and representatives of alternate payment providers, counties that directly administer Stage 1, and state-funded centers and family day care homes.

7. Of the funds appropriated in this item, \$1,066,000 shall be used for administration of the federal Enhancing Education Through Technology Grant Program. Of this amount:
 - (a) \$150,000 is available only for contracted technical support and evaluation services.
8. Of the funds appropriated in this item, \$9,206,000 is for dispute resolution services, including mediation and fair hearing services, provided through contract for the special education programs. The State Department of Education shall ensure the quarterly reports that the contractor submits on the results of its dispute resolution services include the same information as required by Provision 9 of Item 6110-001-0890 of Chapters 47 and 48 of the Statutes of 2006 and Section 56504.5 of the Education Code and reflect year-to-date data and final yearend data.
9. Of the amount provided in this item, \$881,000 is provided for the purpose of monitoring local educational agency compliance with state and federal laws and regulations governing special education.
10. Of the funds appropriated in this item, \$125,000 shall be allocated for increased travel costs associated with program reviews conducted by the Special Education Division Focused Monitoring and Technical Assistance units. Expenditure of these funds is subject to Department of Finance approval of an expenditure plan. The

1 expenditure plan shall include the proposed travel costs
2 associated with focused monitoring and technical as-
3 sistance provided by the State Department of Educa-
4 tion. It shall also include the estimated type and num-
5 ber of reviews to be conducted and shall provide an
6 estimated average cost per type of review. Annual re-
7 newal of this funding is subject to Department of Fi-
8 nance approval of an annual focused monitoring final
9 expenditure report. The report shall be submitted on
10 or before September 30, 2009. It shall provide the total
11 number of reviews conducted each fiscal year, the
12 amount of staff and personnel days and hours associ-
13 ated with each category of review, the travel costs as-
14 sociated with the type and number of reviews conduct-
15 ed, and an average cost per type of review.

- 16 11. Of the amount appropriated in this item, \$832,000
17 (\$600,000 reimbursements and \$232,000 federal spe-
18 cial education funds) shall be used to fund 6.0 posi-
19 tions and implement the provisions of Chapter 914 of
20 the Statutes of 2004 for increased monitoring of non-
21 public, nonsectarian schools.
- 22 12. Of the funds appropriated in this item, \$443,000 is for
23 3.0 positions within the State Department of Education
24 for increased monitoring associated with mental health
25 services required by an individualized education plan
26 pursuant to Chapter 493 of the Statutes of 2004.
- 27 13. Of the funds appropriated in this item, \$1,726,000 is
28 available on a one-time basis to implement the Child
29 Nutrition Information and Payment System.
- 30 14. Of the funds appropriated in this item, \$2,506,000
31 shall be used for the administration of the 21st Century
32 Community Learning Centers Program.
- 33 15. Of the funds appropriated in this item, \$180,000 in
34 federal Carl D. Perkins Vocational and Technical Ed-
35 ucation Act of 2006 funding shall only be available to
36 support a \$180,000 interagency agreement with the
37 California Career Resource Network to provide con-
38 tinuing support for the operations of that organization.
- 39 16. Of the amount appropriated in this item, \$100,000 is
40 available for an interagency agreement with the Cali-

fornia Career Resource Network to develop career resource materials and information pursuant to Provision 1 of Item 6330-001-0001.

17. ~~Of the funds appropriated in this item, \$945,000 is available on a one-time basis from federal Title II funds for the State Department of Education (SDE) to contract services for the development of the California Longitudinal Teacher Integrated Data Education System (CALTIDES). By September 30, 2010, the SDE shall submit a detailed report of the expenditures authorized under this provision to the appropriate budget and policy committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance.~~
18. The following funds appropriated in this item are for the development of a comprehensive strategy to address data reporting requirements and the development of the California Longitudinal Pupil Achievement Data System (CALPADS) to meet the requirements of the federal No Child Left Behind Act of 2001 (P.L. 107-110) and Chapter 1002 of the Statutes of 2002:
 - (a) \$730,000 and 5.0 positions to support state operations for a comprehensive strategy to address data reporting requirements.
 - (b) \$2,588,000 and 1.0 position to support state operations related to the development of CALPADS. Up to \$1,158,000 may be used to support the involvement of California School Information Services staff in the development of CALPADS.
 - (c) \$115,000 and 1.0 position to support workload associated with coordinating data collection and sharing for CALPADS and for the federal Education Data Exchange Network.
 - (d) *\$9,549,000 in one-time federal Title VI funds is available for additional CALPADS implementation activities, including but not limited to, vendor costs associated with system integration, project management and oversight, Office of Technology Services costs, data system validation and verification, and costs associated with the administra-*

- 1 *tion and review of data requests to ensure compli-*
2 *ance with state and federal privacy laws.*
- 3 19. Of the funds appropriated in this item, \$378,000 and
4 4.0 positions are provided to support workload for the
5 federal School Improvement Grant (SIG) Program.
6 Funds shall be allocated pursuant to legislation.
- 7 20. Of the funds appropriated in this item, \$736,000 is
8 available from the Child Care and Development Block
9 Grant Fund on a one-time basis to purchase hardware,
10 software, and to contract with a vendor to customize
11 a solution for replacement of the Provider Accounting
12 and Reporting Information System (PARI\$). The State
13 Department of Education (SDE) shall require the
14 vendor to propose a cost-effective solution in which
15 interim functions that are duplicative of the Financial
16 Information System for California (FI\$Cal) will be
17 decommissioned when FI\$Cal is fully implemented.
18 The SDE shall also require the vendor to address any
19 modifications to the child care contracting process that
20 may be implemented through legislation enacted dur-
21 ing the current legislative session or through regula-
22 tions deemed necessary to more fully utilize available
23 appropriations in the solution to rewrite PARI\$.
- 24 21. Of the funds appropriated in this item, \$308,000 is
25 available from Title II funds for an interagency
26 agreement with the Commission on Teacher Creden-
27 tialing to support teacher misassignment monitoring
28 activities.
- 29 22. Of the funds appropriated in this item, \$109,000 is
30 provided in federal Title III funds to make permanent
31 1.0 existing limited-term position to support the En-
32 glish language learner component of the Mathematics
33 and Reading Professional Development Program.
- 34 23. Of the funds appropriated in this item, \$334,000 is
35 available on a one-time basis to fund the second year
36 of a three-year, independent evaluation as set forth in
37 legislation enacted in the 2007–08 Regular Session
38 related to federal school improvement.
- 39 24. Of the funds appropriated in this item, ~~\$112,000~~
40 \$432,000 is available on a one-time basis to improve

- 1 and expand the direct certification and verification
- 2 processes of students in child nutrition programs.
- 3 25. *Of the funds appropriated in this item, \$1,050,000 is*
- 4 *provided from one-time funds for activities described*
- 5 *in Chapter 666 of the Statutes of 2008.*
- 6 26. *Of the funds appropriated in this item, \$125,000 is*
- 7 *available on an ongoing basis to support updates, as*
- 8 *necessary, for existing parental notification and infor-*
- 9 *mation templates and \$260,000 is available on a one-*
- 10 *time basis to support the development of additional*
- 11 *translations of parental notification and information*
- 12 *templates. The State Department of Education shall*
- 13 *submit, on or before September 1, 2010, a detailed*
- 14 *report of expenditures of funds provided pursuant to*
- 15 *this provision to the Department of Finance, the Leg-*
- 16 *islative Analyst's Office, and the appropriate budget*
- 17 *subcommittees of the Legislature. It is the intent of the*
- 18 *Legislature that \$125,000 in ongoing funds be provid-*
- 19 *ed for the 2009–10, 2010–11, and 2011–12 fiscal*
- 20 *years.*
- 21 27. *Of the funds appropriated in this item, \$1,500,000 is*
- 22 *available on a one-time basis from federal Statewide*
- 23 *Longitudinal Data Systems funds for the State Depart-*
- 24 *ment of Education for systems integration of the Cali-*
- 25 *fornia Longitudinal Teacher Integrated Data Educa-*
- 26 *tion System.*
- 27 28. *Of the funds appropriated in this item, \$1,636,000 is*
- 28 *available from federal Title II funds on a one-time*
- 29 *basis for the State Department of Education to fund*
- 30 *3.0 limited-term positions through June 30, 2010, and*
- 31 *pay costs associated with the development of the Cal-*
- 32 *ifornia Longitudinal Teacher Integrated Data Educa-*
- 33 *tion System.*
- 34 29. *Of the funds appropriated in this item, \$1,100,000 is*
- 35 *provided on a one-time basis, contingent on the receipt*
- 36 *of Direct Certification, Team Nutrition, and Adminis-*
- 37 *trative Review and Training grants from the United*
- 38 *States Department of Agriculture, to develop and im-*
- 39 *plement school district training needed to implement*

1 federal requirements associated with the Child Nutri-
2 tion program.

3 30. Of the funds appropriated in this item, \$189,000 is
4 provided from one-time carryover funds for the Coor-
5 dinated Health/HIV Education Prevention Program.

6 31. Of the funds appropriated in this item, \$945,000 is
7 available from federal Title II funds for the Compli-
8 ance, Monitoring, Interventions, and Sanctions (CMIS)
9 Program. This program is designed to help school
10 districts meet the highly qualified teacher requirements
11 specified in the federal No Child Left Behind Act of
12 2001 (P.L. 107-110). By April 1, 2010, the State De-
13 partment of Education shall submit a report on the
14 CMIS Program to the appropriate budget and policy
15 committees of the Legislature, the Legislative Analyst's
16 Office, and the Department of Finance. The report
17 shall identify (a) the number of school districts that
18 received CMIS support in the 2009–10 fiscal year and
19 (b) the major components of the plans that those dis-
20 tricts developed to respond to the federal highly
21 qualified teacher requirements. For each participating
22 district, the report shall provide longitudinal data on
23 the number and percent of teachers who are and are
24 not highly qualified. At a minimum, the 2009–10 report
25 shall include finalized data for the 2008–09 fiscal year
26 and initial data for the 2009–10 fiscal year. The report
27 shall provide data separately for high- and low-
28 poverty schools. For comparison, the report shall
29 provide the same longitudinal data for the statewide
30 average of all school districts as well as the average
31 for school districts not receiving CMIS support.

32
33 SEC. 402. Item 6110-008-0001 is added to Section 2.00 of the
34 Budget Act of 2009, to read:

6110-008-0001—For support of the Department of Education,
as allocated by the Department of Education to the State
Special Schools for student transportation allowances,
Program 10.60.40..... 3,894,000
Provisions:
1. Funds appropriated in this item are in lieu of funds
that otherwise would be transferred from the General
Fund to Section A of the State School Fund in accor-
dance with Sections 14007 and 41301.5 of the Educa-
tion Code.
2. The State Department of Education (SDE) shall obtain
from the Department of Finance written approval
prior to spending \$924,000 in this item budgeted to
address anticipated transportation contract increases
in the 2009–10 fiscal year resulting from fuel and in-
surance costs. The Department of Finance shall act
within 30 days of receiving justification from the SDE
for the increased costs.

SEC. 403. Item 6110-008-0046 of Section 2.00 of the Budget
Act of 2009 is repealed.

~~6110-008-0046—For support of Department of Education, as
allocated by the Department of Education to the State
Special Schools for student transportation allowances,
payable from the Public Transportation Account, State
Transportation Fund..... 3,894,000
Provisions:
1. Funds appropriated in this item are in lieu of funds
that otherwise would be transferred from the General
Fund to Section A of the State School Fund in accor-
dance with Sections 14007 and 41301.5 of the Educa-
tion Code.
2. The State Department of Education shall obtain from
the Department of Finance written approval prior to
spending \$924,000 in this item budgeted to address
anticipated transportation contract increases in the
2009–10 fiscal year resulting from fuel and insurance
costs. The Department of Finance shall act within 30~~

1 ~~days of receiving justification from the State Depart-~~
 2 ~~ment of Education for the increased costs.~~

3
 4 *SEC. 404. Item 6110-102-0231 of Section 2.00 of the Budget*
 5 *Act of 2009 is amended to read:*

6
 7 6110-102-0231—For local assistance, Department of Education,
 8 Program 20.10.045-Instructional Support, Curriculum
 9 Services Health and Physical Education, Drug Free
 10 Schools, ~~for local assistance~~, payable from the Health
 11 Education Account, Cigarette and Tobacco Products Surtax
 12 Fund, pursuant to Article 1 (commencing with Section
 13 104350) of Chapter 1 of Part 3 of Division 103 of the
 14 Health and Safety Code..... 18,998,000
 15 17,868,000

16
 17 *SEC. 405. Item 6110-102-0890 of Section 2.00 of the Budget*
 18 *Act of 2009 is amended to read:*

19
 20 6110-102-0890—For local assistance, Department of Education,
 21 Program 20.60.038-Instructional Support, Learn and Serve
 22 America Program, payable from the Federal Trust Fund.... 1,813,000
 23 2,113,000

24 1. *Of the funds appropriated in this item, \$300,000 re-*
 25 *flects one-time carryover funds.*

26
 27 *SEC. 406. Item 6110-104-0001 of Section 2.00 of the Budget*
 28 *Act of 2009 is amended to read:*

29
 30 6110-104-0001—For local assistance, Department of Education
 31 (Proposition 98), Program 10.10.011-School Apportion-
 32 ments—Remedial Supplemental Instruction Programs, for
 33 transfer to Section A of the State School Fund, for supple-
 34 mental instruction and remedial programs..... 329,409,000
 35 329,326,000

Schedule:

- (1) 10.10.011.008-School Apportionments,
for Supplemental Instruction, Remedial,
Grades 7–12 for the purposes of
Section 37252 of the Education
Code..... ~~199,480,000~~
199,430,000
- (2) 10.10.011.009-School Apportionments,
for Supplemental Instruction, Retained,
or Recommended for Retention, Grades
2–9 for the purposes of Section 37252.2
of the Education Code, as applicable.... ~~48,183,000~~
48,171,000
- (3) 10.10.011.010-School Apportionments,
for Supplemental Instruction, Low
STAR-Grades 2–6 for the purposes of
Section 37252.8 of the Education
Code..... ~~16,427,000~~
16,423,000
- (4) 10.10.011.011-School Apportionments,
for Supplemental Instruction, Core
Academic K–12 for the purposes of
Section 37253 of the Education Code.... ~~65,319,000~~
65,302,000

Provisions:

1. Notwithstanding any other provision of law, for the
fiscal year, the Superintendent of Public Instruction
shall allocate a minimum of \$8,715 for supplemental
summer school programs in each school district for
which the prior fiscal year enrollment was less than
500 and that, in the fiscal year, offers at least 1,500
hours of supplemental summer school instruction. A
small school district, as described above, that offers
less than 1,500 hours of supplemental summer school
offerings shall receive a proportionate reduction in its
allocation. For the purpose of this provision, supple-
mental summer school programs shall be defined as
programs authorized under paragraph (2) of subdivi-
sion (f) of Section 42239 of the Education Code as it
read on July 1, 1999.

2. Notwithstanding any other provision of law, for the fiscal year, the maximum reimbursement to a school district or charter school for the program listed in Schedule (4) shall not exceed 5 percent of the district's or charter school's enrollment multiplied by 120 hours, multiplied by the hourly rate for the fiscal year.
3. Notwithstanding any other provision of law, the rate of reimbursement shall be \$4.08 per hour of supplemental instruction.
4. Notwithstanding any other provision of law, if the funds in this item are insufficient to fund otherwise valid claims, the Superintendent of Public Instruction shall adjust the rates to conform to available funds.
5. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
6. The funding appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for implementing Section 37252.2 of the Education Code. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.
7. Notwithstanding any other provision of law, an additional \$90,117,000 in expenditures for this item has been deferred until the following fiscal year.
8. Rates or hours shall be adjusted in voluntary programs as necessary to fully meet demand in mandatory programs and remain within the amount provided for this purpose in the annual Budget Act.
9. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 407. Item 6110-108-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-108-0001—For local assistance, Department of Education
(Proposition 98), Program 20-Instructional Support, the
Supplemental School Counseling Program, established
pursuant to Article 4.5 (commencing with Section 52378)
of Chapter 9 of Part 28 of Division 4 of Title 2 of the Ed-
ucation Code..... ~~208,433,000~~
208,391,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 408. Item 6110-109-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-109-0001—For local assistance, Department of Education,
Program 10-Instruction, Title XIV of the American Recov-
ery and Reinvestment Act of 2009..... 0

Schedule:

- (1) 10-Instruction..... 600,000,000
- (2) Reimbursements..... -600,000,000

Provisions:

1. The funds appropriated in this item are for restoring levels of state support for elementary and secondary education pursuant to Title XIV of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).
2. The funds appropriated in this item are for mitigating K-12 revenue limit reductions, as well as reductions made to basic aid districts.

SEC. 409. Item 6110-111-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-111-0001—For local assistance, Department of Education
 (Proposition 98), Program 10-Instruction, for transfer to
 Section A of the State School Fund, Home to School
 Transportation, pursuant to Article 10 (commencing with
 Section 41850) of Chapter 5 of Part 24 of Division 3 of
 Title 2 of the Education Code, and Small School District
 Transportation, pursuant to Article 4.5 (commencing with
 Section 42290) of Chapter 7 of Part 24 of Division 3 of
 Title 2 of the Education Code..... 214,381,000
 618,714,000

Schedule:

(1) 10.10.006-Pupil Transportation..... 208,295,000
 612,628,000

(2) 10.10.008-Small School District Bus
 Replacement..... 6,086,000

Provisions:

1. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.

SEC. 410. Item 6110-111-0046 of Section 2.00 of the Budget Act of 2009 is repealed.

6110-111-0046—For local assistance, Department of Education
 (from the Public Transportation Account, State Transportation Fund), Program 10.10.006-Instruction, for transfer to
 Section A of the State School Fund, Home to School
 Transportation, pursuant to Article 10 (commencing with
 Section 41850) of Chapter 5 of Part 24 of Division 3 of
 Title 2 of the Education Code, and Small School District
 Transportation, pursuant to Article 4.5 (commencing with
 Section 42290) of Chapter 7 of Part 24 of Division 3 of
 Title 2 of the Education Code..... 313,886,000

SEC. 411. Item 6110-111-3116 of Section 2.00 of the Budget Act of 2009 is repealed.

6110-111-3116—For local assistance, Department of Education
(from the Mass Transportation Fund, State Transportation
Fund), Program 10.10.006-Instruction, for transfer to Sec-
tion A of the State School Fund, Home to School Trans-
portation, pursuant to Article 10 (commencing with Section
41850) of Chapter 5 of Part 24 of Division 3 of Title 2 of
the Education Code, and Small School District Transporta-
tion, pursuant to Article 4.5 (commencing with Section
42290) of Chapter 7 of Part 24 of Division 3 of Title 2 of
the Education Code..... 90,447,000

*SEC. 412. Item 6110-113-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

6110-113-0001—For local assistance, Department of Education
(Proposition 98), for purposes of California’s pupil testing
program..... 86,215,000
Schedule:
(1) 20.70.030.005-Assessment Review and
Reporting..... 2,192,000
(2) 20.70.030.006-STAR Program..... 50,059,000
(3) 20.70.030.007-English Language Devel-
opment Assessment..... 1,630,000
(4) 20.70.030.008-High School Exit Exam-
ination..... 7,200,000
(5) 20.70.030.209-Assessment Apportion-
ments..... 25,134,000
(6) 20.70.030.015-California High School
Proficiency Examination..... 1,244,000
(7) Reimbursements..... -1,244,000

Provisions:

1. The funds appropriated in this item shall be for the
pupil testing programs authorized by Chapter 3 (com-
mencing with Section 48412) of Part 27 of Division
4 of Title 2 of the Education Code and Chapter 5
(commencing with Section 60600), Chapter 6 (com-
mencing with Section 60800), Chapter 7 (commencing
with Section 60810), and Chapter 9 (commencing with
Section 60850) of Part 33 of Division 4 of Title 2 of
the Education Code.

- 1 2. The funds appropriated in Schedule (2) are provided
2 for approved contract costs for the development and
3 administration of the California Standards Tests, the
4 Standards-Based Tests in Spanish, the California Al-
5 ternate Performance Assessment (CAPA), the Desig-
6 nated Primary Language Test, and the California
7 Modified Assessment, as part of the STAR Program.
8 District apportionments provided in Schedule (5) shall
9 be \$5 per pupil for the CAPA.
- 10 3. The funds appropriated in Schedule (3) shall be
11 available for approved contract costs for administration
12 of the California English Language Development Test
13 (CELDT) meeting the requirements of Chapter 7
14 (commencing with Section 60810) of Part 33 of Divi-
15 sion 4 of Title 2 of the Education Code. Incentive
16 funding of \$5 per pupil is provided in Schedule (5) for
17 district apportionments for the CELDT. As a condition
18 of receiving these funds, school districts must agree
19 to provide information determined to be necessary to
20 comply with the data collection and reporting require-
21 ments of the federal No Child Left Behind Act of 2001
22 (P.L. 107-110) regarding English language learners
23 by the State Department of Education.
- 24 4. The funds appropriated in Schedule (4) include funds
25 for approved contract costs for the administration of
26 the California High School Exit Examination (CAH-
27 SEE) pursuant to Chapter 9 (commencing with Section
28 60850) of Part 33 of Division 4 of Title 2 of the Edu-
29 cation Code. The State Board of Education shall estab-
30 lish the amount of funding to be apportioned to school
31 districts for the CAHSEE. The amount of funding to
32 be apportioned per test shall not be valid without the
33 approval of the Department of Finance.
- 34 5. The funds appropriated in Schedule (4) shall be used
35 for seven annual administrations of the California High
36 School Exit Examination. Grade 12 pupils may take
37 up to five administrations of the examination, grade
38 11 pupils may take up to two, and grade 10 pupils are
39 required to take one.

6. It is the intent of the Legislature that the State Department of Education (SDE) develop a plan to streamline existing programs to eliminate duplicative tests and minimize the instructional time lost to test administration. The SDE shall ensure that all statewide tests meet industry standards for validity and reliability.
7. Funds provided to local educational agencies from Schedules (2), (3), (4), and (5) shall first be used to offset any state-mandated reimbursable costs within the meaning of Section 17556 of the Government Code, that otherwise may be claimed through the state mandates reimbursement process for the STAR Program, the California English Language Development Test, and the California High School Exit Examination. Local educational agencies receiving funding from these schedules shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from these schedules.
8. Notwithstanding Section 28.50, the Department of Finance may adjust Schedules (6) and (7) to reflect changes in actual reimbursements from the contractor for the California High School Proficiency Examination.
9. Federal funds provided in Item 6110-113-0890 for statewide testing purposes shall be fully expended before General Fund resources provided in this item are expended for the same purposes.
10. *The funds appropriated in Schedule (5) may be used to pay approved apportionment costs from the 2008–09 and the 2009–10 fiscal years for the STAR Program, the California English Language Development Test, and the California High School Exit Examination.*
11. *The State Department of Education (SDE) shall not expend funds from this item until the Department of Finance approves an SDE expenditure plan to ensure that the SDE maximizes contract savings and minimizes apportionment payment deferrals for the 2008–09 and 2009–10 fiscal years. After an expenditure plan is approved by the Department of Finance, the SDE shall provide a copy of the approved plan to*

the Legislative Analyst's Office and the appropriate fiscal and policy committees of the Legislature.

12. In implementing the reductions for the 2008–09 and 2009–10 fiscal years, the State Department of Education shall not eliminate any state assessments funded by this item.

SEC. 413. Item 6110-119-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-119-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.40.060-Educational Services for Foster Youth pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24 of Division 3 of Title 2 of the Education Code.....	18,834,000
	18,831,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of 0.32 percent for a statewide decline in average daily attendance.

SEC. 414. Item 6110-119-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-119-0890—For local assistance, Department of Education, Program 10.30.060.002-Title I Program for Neglected and Delinquent Children, payable from the Federal Trust Fund.....	2,461,000
	2,504,000

Provisions:

1. Of the funds appropriated in this item, \$43,000 is provided in one-time carryover funds to support the existing program.

SEC. 415. Item 6110-122-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-122-0001—For local assistance, Department of Education
(Proposition 98), for transfer to Section A of the State
School Fund, Program 20.40.090-Specialized Secondary
Programs, pursuant to Chapter 6 (commencing with Sec-
tion 58800) of Part 31 of Division 4 of Title 2 of the Edu-
cation Code..... ~~6,104,000~~
6,102,000

Provisions:

1. Of the funds appropriated in this item, \$1,500,000 shall be allocated to Specialized Secondary Programs established prior to the 1991–92 fiscal year that operate in conjunction with the California State University.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
3. Of the amount appropriated in this item, \$0 is provided for a cost-of-living adjustment.

SEC. 416. Item 6110-124-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-124-0001—For local assistance, Department of Education
(Proposition 98), for transfer to Section A of the State
School Fund, Program 10.80.010-Gifted and Talented
Pupil Program established pursuant to Chapter 8 (commenc-
ing with Section 52200) of Part 28 of Division 4 of Title
2 of the Education Code..... ~~50,885,000~~
50,874,000

Provisions:

1. An additional \$4,294,000 in expenditures for this purpose has been deferred to the 2010–11 fiscal year.
2. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
3. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 417. Item 6110-125-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	6110-125-0001—For local assistance, Department of Education	
2	(Proposition 98).....	63,073,000
3		63,061,000
4	Schedule:	
5	(1) 10.40.030.004-Refugee Children School	
6	Grant Program.....	1,649,000
7	(2) 20.10.006-English Language Acquisi-	
8	tion Program, pursuant to Chapter 4	
9	(commencing with Section 400) of Part	
10	1 of Division 1 of Title 1 of the Educa-	
11	tion Code.....	63,073,000
12		63,061,000
13	(3) Reimbursements.....	-1,649,000
14	Provisions:	
15	1. Of the funds appropriated in this item, \$0 is provided	
16	for the purpose of a cost-of-living adjustment.	
17	2. The funds appropriated in this item reflect a reduction	
18	to the base funding of 0.3 0.32 percent for a statewide	
19	decline in average daily attendance.	

21 *SEC. 418. Item 6110-125-0890 of Section 2.00 of the Budget*
 22 *Act of 2009 is amended to read:*

24	6110-125-0890—For local assistance, Department of Education,	
25	payable from the Federal Trust Fund.....	297,826,000
26		309,933,000
27	Schedule:	
28	(1) 10.30.010-Title I, Migrant Educa-	
29	tion.....	127,719,000
30		138,143,000
31	(2) 20.10.004-Title III, Language Acquisi-	
32	tion.....	170,107,000
33		171,790,000
34	Provisions:	
35	1. Of the funds appropriated in Schedule (1), the <i>State</i>	
36	Department of Education shall use no less than	
37	\$6,500,000 and up to \$7,100,000 for the California	
38	Mini-Corps Program.	
39	2. <i>Of the funds appropriated in Schedule (1), \$3,500,000</i>	
40	<i>is provided in one-time carryover funds to support the</i>	

following existing program activities: (a) extended day/week and summer/intersession programs to help prepare middle and secondary students for the high school exit exam, (b) investments aimed at upgrading curricula, instructional materials, educational software, and assessment procedures, (c) tutorials and intensified instruction, and (d) investments in technology used to improve the proficiency of limited-English-proficient pupils.

3. Of the funds appropriated in Schedule (2), \$1,683,000 is provided in one-time carryover funds to support the existing program.

SEC. 419. Item 6110-126-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-126-0890—For local assistance, Department of Education, Program 20.60.290-Instructional Support, Title I, Part B of the federal Elementary and Secondary Education Act (Reading First program) payable from the Federal Trust Fund.....	47,974,000
	26,512,000

Provisions:

1. The funds appropriated in this item are for Reading First programs pursuant to Article 1 (commencing with Section 51700) of Chapter 5 of Part 28 of Division 4 of Title 2 of the Education Code. ~~It is the intent of the Legislature that all participating school districts receive funding at the rates established in paragraph (3) of subdivision (c) of Section 51700 for six years. A participating school district shall not receive funding from this item for more than six years.~~
2. ~~Of the funds appropriated in this item, \$3,658,000 shall be available for Reading First's statewide and regional infrastructure, including its six regional technical assistance centers.~~
3. ~~By May 1, 2010, the State Department of Education shall provide the Legislature with all of the following: (a) the number of school districts receiving grants, (b) the number of K-3 teachers funded, (c) the number of~~

- 1 K-12 special education teachers served, and (d) the
2 average per-teacher grant amount.
- 3 4. By May 1, 2010, the State Department of Education
4 shall provide the Legislature with the following: (a)
5 the number and percentage of all K-12 special educa-
6 tion teachers in Reading First schools receiving
7 Reading First professional development for each year,
8 2001-02 to 2008-09, inclusive, and (b) the number
9 and percentage of all K-12 special education classes
10 in Reading First schools that have appropriate reading
11 materials purchased using the state's instructional
12 materials program as set forth in Article 3 (commene-
13 ing with Section 60240) of Chapter 2 of Part 33 of
14 Division 4 of Title 2 of the Education Code.
- 15 2. *Of the funds appropriated in this item, \$2,800,000*
16 *shall be available for Reading First's statewide and*
17 *regional infrastructure, including its eight regional*
18 *technical assistance centers. The State Department of*
19 *Education, in consultation with the technical assis-*
20 *tance centers, shall submit an expenditure report by*
21 *November 30, 2010, to the Department of Finance and*
22 *the Legislative Analyst's Office. This report shall in-*
23 *clude, at a minimum, the sum and distribution of par-*
24 *ticipating schools and teachers and expenditure infor-*
25 *mation for each technical assistance center by catego-*
26 *ry of personnel, training, training materials, travel,*
27 *general expense, and indirect costs.*
- 28 3. *Of the funds appropriated in this item, \$23,712,000 is*
29 *provided in one-time carryover funds. These funds*
30 *shall be available to support Reading First-appropri-*
31 *ate activities including, but not limited to, teacher*
32 *training, teacher assessments, student assessments,*
33 *remedial programs, classroom materials, reading*
34 *coaches, external resource specialists, and the imple-*
35 *mentation of research-based instructional strategies,*
36 *such as response to instruction and intervention. First*
37 *priority for funding shall be given to support Reading*
38 *First Special Education Teacher Professional Devel-*
39 *opment (SETPD) Pilot Program applicants. Second*
40 *priority shall be given to other currently participating*

local educational agencies to provide an amount equivalent to no more than six years of funding. All participants in Priority 1 and 2, as specified in this provision, shall receive a maximum of \$8,000 per teacher for each equivalent year of funding.

4. Funds that are not needed for the purposes specified in Provisions 2 and 3 shall be available to support Reading First-appropriate activities, including, but not limited to, the activities specified in Provision 3, and shall be distributed to former and current Reading First and Priority 1 Special Education Teacher Professional Development Pilot Program local educational agencies, prorated across all participating teachers.

SEC. 420. Item 6110-134-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-134-0890—For local assistance, Department of Education, payable from the Federal Trust Fund..... ~~1,737,878,000~~
2,756,266,000

Schedule:

- (1) 10.30.006-Statewide System of School Support..... 10,000,000
- (2) 10.30.014-Title I, Corrective Action—
Local Educational Agencies..... ~~54,872,000~~
119,744,000
- (2.5) 10.30.015-Title I, Corrective Action—Local Educational Agencies, American Recovery and Reinvestment Act..... 44,996,000
- (3) 10.30.004-School Improvement Grants, Corrective Action..... ~~61,462,000~~
74,672,000
- (3.5) 10.30.016—School Improvement Grant, Corrective Action, American Recovery and Reinvestment Act..... 351,348,000
- (4) 10.30.060-Title I-ESEA..... ~~1,611,544,000~~
1,615,544,000
- (5) 10.30.061-Title I—ESEA, American Recovery and Reinvestment Act..... 539,962,000

Provisions:

1. In administering the accountability system required by this item, the State Department of Education shall align the forms, processes, and procedures required of local educational agencies in a manner that they may be utilized for the purposes of implementing the Public Schools Accountability Act of 1999, as established by Chapter 6.1 (commencing with Section 52050) of Part 28 of Division 4 of Title 2 of the Education Code, so that duplication of effort is minimized at the local level.
2. The funds appropriated in Schedule (1) shall be available for the purposes established by Article 4.2 (commencing with Section 52059) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.
4. The State Department of Education shall provide to the Legislature, the Legislative Analyst's Office, and the Department of Finance, a letter by April 15, 2010, reporting expenditures and anticipated savings for each schedule, based on available information.
- ~~5. The funds appropriated in Schedules (2) and (3) shall be available for purposes established by Article 3.1 (commencing with Section 52055.57(c)) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.~~
6. The funds appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claims for district assistance and intervention teams and other technical assistance providers. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.
7. *The funds appropriated in Schedules (2) and (2.5) shall be programmed pursuant to legislation. Of the funds appropriated in Schedule (2), \$64,872,000 are one-time carryover funds.*
8. *The funds appropriated in Schedules (3) and (3.5) are for purposes of Title I, Part A, Section 1116 and 1117*

of the federal No Child Left Behind Act (P.L. 107-110) and shall first be used to fund the LEA Corrective Action program established by Article 3.1 (commencing with Section 52055.57) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code, with the remainder to be apportioned to programs pursuant to legislation. Of the funds appropriated in Schedule (3), \$13,210,000 are one-time carryover funds.

9. Of the funds appropriated in Schedule (4), \$4,000,000 is provided in one-time carryover funds to support the existing program.

SEC. 421. Item 6110-136-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-136-0890—For local assistance, Department of Education,	
Program 10.30-Instruction, payable from the Federal Trust	
Fund.....	14,190,000
	20,499,000
Schedule:	
(1) 10.30.065-McKinney-Vento Homeless	
Children Education.....	7,193,000
	12,712,000
(2) 10.30.030-Title I-Even Start Program....	
	6,997,000
	7,787,000

Provisions:

1. Of the funds appropriated in Schedule (1), \$400,000 is provided in one-time carryover funds to support the existing program.
2. Of the funds appropriated in Schedule (2), \$790,000 is provided in one-time carryover funds to support the existing program.

SEC. 422. Item 6110-140-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-140-0001—For local assistance, Department of Education	
(Proposition 98), Program 20-Instructional Support.....	
	0
Schedule:	
(1) 20.80.001-Student Friendly Services....	500,000

1	(2) 20.90.001.020-California School Infor-	
2	mation Services Administration.....	4,444,000
3		3,899,000
4	(3) 20.90.001.030-California School Infor-	
5	mation Services Administration Indepen-	
6	dent Project Oversight.....	150,000
7	(4) Amount payable from the Educational	
8	Telecommunication Fund (Item 6110-	
9	140-0349).....	-5,094,000
10		-4,549,000
11	Provisions:	
12	1. The Superintendent of Public Instruction shall allocate	
13	the funds appropriated in Schedule (1) for the Student	
14	Friendly Services program.	
15	2. The funds appropriated in Schedule (2) shall be for	
16	allocation to the Fiscal Crisis and Management Assis-	
17	tance Team for costs associated with administration	
18	of the California School Information Services project.	
19	3. The Superintendent of Public Instruction shall allocate	
20	the funds appropriated in Schedule (3) to the Sacramen-	
21	to County Office of Education, which shall use the	
22	funds to contract for independent project oversight of	
23	the California School Information Services (CSIS)	
24	program. The independent project oversight shall in-	
25	clude the submission of quarterly project reports on	
26	the progress of the CSIS program to the Legislature,	
27	the Department of Finance, the Superintendent of	
28	Public Instruction, the State Board of Education, the	
29	Governor, the Legislative Analyst's Office, and the	
30	Fiscal Crisis and Management Assistance Team for	
31	the duration of the program implementation. These	
32	reports shall include, but not be limited to, information	
33	on: (a) CSIS capacity for additional district cohorts,	
34	(b) readiness of self-identified districts for participation	
35	in new CSIS cohorts, (c) CSIS operations budget, and	
36	(d) CSIS readiness to implement additional phases of	
37	state reporting and records transfer.	
38	4. Of the funds appropriated in Schedule (2), \$545,000	
39	is available on a three-year limited-term basis to sup-	
40	port positions and administrative costs associated with	

the implementation plan developed pursuant to Provision 5 of Item 6110-101-0349 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).

5. The State Department of Education and CSIS the California School Information Services shall jointly report by October 1, 2009, to the Department of Finance, the Legislative Analyst's Office, and the budget committees of the Legislature on the workload activities performed by each entity to prepare for the implementation of CALPADS the California Longitudinal Pupil Achievement Data System (CALPADS).

SEC. 423. Item 6110-140-0349 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-140-0349—For local assistance, Department of Education,	
for payment to Item 6110-140-0001, payable from the	
Educational Telecommunication Fund.....	5,094,000
	4,549,000

SEC. 424. Item 6110-156-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-156-0890—For local assistance, Department of Education,	
Program 10.50.010.001-Adult Education, payable from	
the Federal Trust Fund.....	75,126,000
	79,082,000

Provisions:

1. Under any grant awarded by the State Department of Education under this item to a qualifying community-based organization to provide adult basic education in English as a Second Language and English as a Second Language-Citizenship classes, the department shall make an initial payment to the organization of 25 percent of the amount of the grant. In order to qualify for an advance payment, a community-based organization shall submit an expenditure plan and shall guarantee that appropriate standards of educational quality and fiscal accountability are maintained. In addition, reimbursement of claims shall be distributed on a

quarterly basis. The department shall withhold 10 percent of the final payment of a grant as described in this provision until all claims for that community-based organization have been submitted for final payment.

2. (a) Notwithstanding any other provision of law, all nonlocal educational agencies (non-LEA) receiving greater than \$500,000 pursuant to this item shall submit an annual organizational audit, as specified, to the State Department of Education, Office of External Audits.

All audits shall be performed by one of the following: (1) a certified public accountant possessing a valid license to practice within California, (2) a member of the ~~State Department of Education~~ *department's* staff of auditors, or (3) in-house auditors, if the entity receiving funds pursuant to this item is a public agency, and if the public agency has internal staff that performs auditing functions and meets the tests of independence found in Government Auditing Standards issued by the Comptroller General of the United States.

The audit shall be in accordance with State Department of Education audit guidelines and Office of Management and Budget (OMB), Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.

Non-LEA entities receiving funds pursuant to this item shall submit the annual audit no later than six months from the end of the agency fiscal year. If, for any reason, the contract is terminated during the contract period, the audit shall cover the period from the beginning of the contract through the date of termination.

Non-LEA entities receiving funds pursuant to this item shall be held liable for all ~~State Department of Education~~ *department* costs incurred in obtaining an independent audit if the contractor fails to produce or submit an acceptable audit.

(b) Notwithstanding any other provision of law, the State Department of Education shall annually submit to the Governor, Joint Legislative Budget Committee, and Joint Legislative Audit Committee limited-scope audit reports of all subrecipients it is responsible for monitoring that receive between \$25,000 and ~~\$300,000~~ \$500,000 of federal awards, and that do not have an organizationwide audit performed. These limited-scope audits shall be conducted in accordance with the State Department of Education audit guidelines and OMB, Circular No. A-133. ~~The State Department of Education~~ *department* may charge audit costs to applicable federal awards, as authorized by OMB, Circular No. A-133 Section 230(b)(2).

The limited-scope audits shall include agreed-upon procedures engagements conducted in accordance with either American Institute of Certified Public Accountants (AICPA) generally accepted auditing standards or attestation standards, and address one or more of the following types of compliance requirements: allowed or unallowed activities, allowable costs and cost principles, eligibility, matching, level of effort, earmarking, and reporting.

~~The State Department of Education~~ *department* shall contract for the limited-scope audits with a certified public accountant possessing a valid license to practice within the state or with an independent auditor.

3. On or before March 1 of each year, the State Department of Education shall report to the appropriate subcommittees of the Assembly Committee on Budget and the Senate Committee on Budget and Fiscal Review on the following aspects of Title II of the federal Workforce Investment Act of 1998: (a) the makeup of those adult education providers that applied for competitive grants under Title II and those that obtained grants, by size, geographic location, and type (school districts, community colleges, community-

based organizations, or other local entities), (b) the extent to which participating programs were able to meet planned performance targets, and (c) a breakdown of the types of courses (English as a Second Language (ESL), ESL-Citizenship, adult basic education, or adult secondary education) included in the performance targets of participating agencies.

It is the intent of the Legislature that the Legislature and the department utilize the information provided pursuant to this provision to (a) evaluate whether any changes need to be made to improve the implementation of the accountability-based funding system under Title II and (b) evaluate the feasibility of any future expansion of the accountability-based funding system using state funds.

4. The State Department of Education shall continue to ensure that outcome measures for State Department of Mental Health and State Department of Developmental Services clients are set at a level where these clients will continue to be eligible for adult education services in the current fiscal year and beyond to the full extent authorized under federal law. The State Department of Education shall also consult with the State Department of Mental Health, State Department of Developmental Services, and Department of Finance for this purpose.
5. *Of the funds appropriated in this item, \$3,088,000 is provided in one-time carryover funds.*

SEC. 425. Item 6110-161-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-161-0001—For local assistance, Department of Education (Proposition 98), Program 10.60-Special Education		
Programs for Exceptional Children.....		3,121,060,000
		3,149,874,000
Schedule:		
(1) 10.60.050.003-Special education instruction.....		3,050,415,000
		3,079,229,000

- (2) 10.60.050.080-Early Education Program
for Individuals with Exceptional
Needs..... 85,040,000
- (3) Reimbursements for Early Education
Program, Part C..... -14,395,000

Provisions:

1. Funds appropriated by this item are for transfer by the
Controller to Section A of the State School Fund, in
lieu of the amount that otherwise would be appropriat-
ed for transfer from the General Fund in the State
Treasury to Section A of the State School Fund for
the 2009–10 fiscal year pursuant to Sections 14002
and 41301 of the Education Code, for apportionment
pursuant to Part 30 (commencing with Section 56000)
of Division 4 of Title 2 of the Education Code, super-
seding all prior law.
2. Of the funds appropriated in Schedule (1), up to
~~\$13,154,000~~ *\$13,151,000*, plus any cost-of-living ad-
justment, shall be available for the purchase, repair,
and inventory maintenance of specialized books, ma-
terials, and equipment for pupils with low-incidence
disabilities, as defined in Section 56026.5 of the Edu-
cation Code.
3. Of the funds appropriated in Schedule (1), up to
~~\$10,049,000~~ *\$10,047,000*, plus any cost-of-living ad-
justment, shall be available for the purposes of voca-
tional training and job placement for special education
pupils through Project Workability I pursuant to Arti-
cle 3 (commencing with Section 56470) of Chapter
4.5 of Part 30 of Division 4 of Title 2 of the Education
Code. As a condition of receiving these funds, each
local educational agency shall certify that the amount
of nonfederal resources, exclusive of funds received
pursuant to this provision, devoted to the provision of
vocational education for special education pupils shall
be maintained at or above the level provided in the
1984–85 fiscal year. The Superintendent of Public
Instruction may waive this requirement for local edu-
cational agencies that demonstrate that the requirement
would impose a severe hardship.

- 1 4. Of the funds appropriated in Schedule (1), up to
2 \$~~5,242,000~~ \$5,241,000, plus any cost-of-living adjust-
3 ment (COLA), shall be available for regional occupa-
4 tional centers and programs that serve pupils having
5 disabilities; up to ~~\$87,640,000~~ \$87,623,000, plus any
6 COLA, shall be available for regionalized program
7 specialist services; and up to ~~\$2,597,000~~ \$2,596,000,
8 plus any COLA, shall be available for small special
9 education local plan areas (SELPAs) pursuant to Sec-
10 tion 56836.24 of the Education Code.
- 11 5. Of the funds appropriated in Schedule (1), up to
12 \$3,000,000 is provided for extraordinary costs associ-
13 ated with single placements in nonpublic, nonsectarian
14 schools, pursuant to Section 56836.21 of the Education
15 Code. Pursuant to legislation, these funds shall also
16 provide reimbursement for costs associated with pupils
17 residing in licensed children's institutes.
- 18 6. Of the funds appropriated in Schedule (1), up to
19 \$205,022,000, plus any cost-of-living adjustment
20 (COLA), is available to fund the costs of children
21 placed in licensed children's institutions who attend
22 nonpublic schools based on the funding formula autho-
23 rized in Chapter 914 of the Statutes of 2004.
- 24 7. Funds available for infant units shall be allocated with
25 the following average number of pupils per unit:
26 (a) For special classes and centers—16.
27 (b) For resource specialist programs—24.
28 (c) For designated instructional services—16.
- 29 8. Notwithstanding any other provision of law, early ed-
30 ucation programs for infants and toddlers shall be of-
31 fered for 200 days. Funds appropriated in Schedule
32 (2) shall be allocated by the State Department of Edu-
33 cation for the 2009–10 fiscal year to those programs
34 receiving allocations for instructional units pursuant
35 to Section 56432 of the Education Code for the Early
36 Education Program for Individuals with Exceptional
37 Needs operated pursuant to Chapter 4.4 (commencing
38 with Section 56425) of Part 30 of Division 4 of Title
39 2 of the Education Code, based on computing 200-day
40 entitlements. Notwithstanding any other provision of

law, funds in Schedule (2) shall be used only for the purposes specified in Provisions 10 and 11.

9. Notwithstanding any other provision of law, state funds appropriated in Schedule (2) in excess of the amount necessary to fund the deficiated entitlements pursuant to Section 56432 of the Education Code and Provision 10 shall be available for allocation by the State Department of Education to local educational agencies for the operation of programs serving solely low-incidence infants and toddlers pursuant to Title 14 (commencing with Section 95000) of the Government Code. These funds shall be allocated to each local educational agency for each solely low-incidence child through age two in excess of the number of solely low-incidence children through age two served by the local educational agency during the 1992–93 fiscal year and reported on the April 1993 pupil count. These funds shall only be allocated if the amount of reimbursement received from the State Department of Developmental Services is insufficient to fully fund the costs of operating the Early Intervention Program, as authorized by Title 14 (commencing with Section 95000) of the Government Code.

10. The State Department of Education, through coordination with the special education local plan areas, shall ensure local interagency coordination and collaboration in the provision of early intervention services, including local training activities, child-find activities, public awareness, and the family resource center activities.

11. Funds appropriated in this item, unless otherwise specified, are available for the sole purpose of funding 2009–10 special education program costs and shall not be used to fund any prior year adjustments, claims, or costs.

12. Of the amount provided in Schedule (1), up to \$188,000, plus any cost-of-living adjustment, shall be available to fully fund the declining enrollment of necessary small special education local plan areas pursuant to Chapter 551 of the Statutes of 2001.

- 1 13. Pursuant to Section 56427 of the Education Code, of
2 the funds appropriated in Schedule (1), up to
3 \$2,324,000 may be used to provide funding for infant
4 programs, and may be used for those programs that
5 do not qualify for funding pursuant to Section 56432
6 of the Education Code.
- 7 14. Of the funds appropriated in Schedule (1), up to
8 \$29,478,000 shall be allocated to local educational
9 agencies for the purposes of Project Workability I.
- 10 15. Of the funds appropriated in Schedule (1), up to
11 \$1,700,000 shall be used to provide specialized ser-
12 vices to pupils with low-incidence disabilities, as de-
13 fined in Section 56026.5 of the Education Code.
- 14 16. Of the funds appropriated in Schedule (1), up to
15 \$1,117,000 shall be used for a personnel development
16 program. This program shall include state-sponsored
17 staff development for special education personnel to
18 have the necessary content knowledge and skills to
19 serve children with disabilities. This funding may in-
20 clude training and services targeting special education
21 teachers and related service personnel that teach core
22 academic or multiple subjects to meet the applicable
23 special education requirements of the Individuals with
24 Disabilities Education Improvement Act of 2004 (20
25 U.S.C. Sec. 1400 et seq.).
- 26 17. Of the funds appropriated in Schedule (1), up to
27 \$200,000 shall be used for research and training in
28 cross-cultural assessments.
- 29 18. Of the amount specified in Schedule (1), up to
30 \$31,000,000 shall be used to provide mental health
31 services required by an individual education plan
32 pursuant to the federal Individuals with Disabilities
33 Education Improvement Act of 2004 (20 U.S.C. Sec.
34 1400 et seq.) and pursuant to Chapter 493 of the
35 Statutes of 2004.
- 36 19. Of the amount provided in Schedule (1), \$0 is provided
37 for cost-of-living adjustments.
- 38 20. Of the amount provided in Schedule (2), \$0 is provided
39 for cost-of-living adjustments.

21. Of the amount appropriated in this item, up to \$1,480,000 is available for the state's share of costs in the settlement of *Emma C. v. Delaine Eastin, et al.* (N.D. Cal. No. C96-4179TEH). The State Department of Education shall report by January 1, 2010, to the fiscal committees of both houses of the Legislature, the Department of Finance, and the Legislative Analyst's Office on the planned use of the additional special education funds provided to the Ravenswood Elementary School District pursuant to this settlement. The report shall also provide the State Department of Education's best estimate of when this supplemental funding will no longer be required by the court. The State Department of Education shall comply with the requirements of Section 948 of the Government Code in any further request for funds to satisfy this settlement.
22. Of the funds appropriated in this item, up to \$2,500,000 shall be allocated directly to special education local plan areas for a personnel development program that meets the highly qualified teacher requirements and ensures that all personnel necessary to carry out this part are appropriately and adequately prepared, subject to the requirements of paragraph (14) of subdivision (a) of Section 612 of the federal Individuals with Disabilities Education Improvement Act of 2004 (20 U.S.C. Sec. 1400 et seq.), and Section 2122 of the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.). The local in-service programs shall include a parent training component and may include a staff training component, and may include a special education teacher component for special education service personnel and paraprofessionals, consistent with state certification and licensing requirements. Use of these funds shall be described in the local plans. These funds may be used to provide training in alternative dispute resolution and the local mediation of disputes. All programs are to include evaluation components.

23. Notwithstanding any other provision of law, state funds appropriated in Schedule (1) in excess of the amount necessary to fund the defined entitlement shall be to fulfill other shortages in entitlements budgeted in this schedule by the State Department of Education, upon Department of Finance approval, to any program funded under Schedule (1).
24. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
25. Of the funds appropriated in Schedule (1), the amount resulting from increases in federal funds reflected in the calculation performed in paragraph (1) of subdivision (c) of Section 56836.08 of the Education Code shall be allocated based on an equal amount per average daily attendance and added to each special education local plan area's base funding, consistent with paragraphs (1) to (4), inclusive, of subdivision (b) of Section 56836.158 of the Education Code. This amount may be up to ~~\$32,300,000~~ \$53,458,000 less adjustments for state operations and preschool. When the final amount is determined, the State Department of Education shall provide this information to the Department of Finance and the budget committees of each house of the Legislature.

SEC. 426. Item 6110-161-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-161-0890—For local assistance, Department of Education, payable from the Federal Trust Fund, Program	
10.60-Special Education Programs for Exceptional Children.....	1,205,067,000
	1,860,208,000
Schedule:	
(1) 10.60.050.012-Local Agency Entitlements, IDEA Special Education.....	1,026,258,000
	1,047,413,000
(2) 10.60.050.013-State Agency Entitlements, IDEA Special Education.....	1,821,000

(3) 10.60.050.015-IDEA, Local Entitle-	
ments, Preschool Program.....	63,437,000
(4) 10.60.050.021-IDEA, State Level Activ-	
ities.....	70,720,000
(5) 10.60.050.030-P.L. 99-457, Preschool	
Grant Program.....	37,841,000
(6) 10.60.050.031-IDEA, State Improve-	
ment Grant, Special Education.....	2,196,000
(7) 10.60.050.032-IDEA, Family Empower-	
ment Centers.....	2,794,000
(8) 10.60.050.033-IDEA, Part B—Grants	
to States—ARRA.....	613,472,000
(9) 10.60.050.034-IDEA, Part B—Preschool	
Grants—ARRA.....	20,514,000

Provisions:

1. If the funds for Part B of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) (IDEA) that are actually received by the state exceed ~~\$1,198,276,000~~ \$1,219,431,000, at least 95 percent of the funds received in excess of that amount shall be allocated for local entitlements and to state agencies with approved local plans. Up to 5 percent of the amount received in excess of ~~\$1,198,276,000~~ \$1,219,431,000 may be used for state administrative expenses upon approval of the Department of Finance. If the funds for Part B of the IDEA that are actually received by the state are less than ~~\$1,198,276,000~~ \$1,219,431,000, the reduction shall be taken in other state-level activities.
2. The funds appropriated in Schedule (2) shall be distributed to state-operated programs serving disabled children from 3 to 21 years of age, inclusive. In accordance with federal law, the funds appropriated in Schedules (1) and (2) shall be distributed to local and state agencies on the basis of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) permanent formula.
4. Of the funds appropriated in Schedule (4), up to \$300,000 shall be used to develop and test procedures,

1 materials, and training for alternative dispute resolution
2 in special education.

- 3 5. Of the funds appropriated by Schedule (5) for the
4 Preschool Grant Program, \$1,228,000 shall be used
5 for in-service training and shall include a parent
6 training component and may, in addition, include a
7 staff training program. These funds may be used to
8 provide training in alternative dispute resolution and
9 the local mediation of disputes. This program shall
10 include state-sponsored and local components.

- 11 6. Of the funds appropriated in this item, \$1,420,000 is
12 available for local assistance grants to monitor local
13 educational agency compliance with state and federal
14 laws and regulations governing special education. This
15 funding level is to be used to continue the facilitated
16 reviews and, to the extent consistent with the key
17 performance indicators developed by the State Depart-
18 ment of Education, these activities *shall* focus on local
19 educational agencies identified by the United States
20 Department of Education's Office of Special Education
21 Programs.

- 22 7. The funds appropriated in Schedule (7) shall be used
23 for the purposes of Family Empowerment Centers on
24 Disability pursuant to Chapter 690 of the Statutes of
25 2001.

- 26 8. Notwithstanding the notification requirements listed
27 in subdivision (d) of Section 26.00, the Department
28 of Finance is authorized to approve intraschedule
29 transfers of funds within this item submitted by the
30 State Department of Education for the purposes of
31 ensuring that special education funding provided in
32 this item is appropriated in accordance with the statu-
33 tory funding formula required by the federal Individu-
34 als with Disabilities Education Act (20 U.S.C. Sec.
35 1400 et seq.) and the special education funding formula
36 required pursuant to Chapter 7.2 (commencing with
37 Section 56836) of Part 30 of Division 4 of Title 2 of
38 the Education Code, without waiting 30 days, but shall
39 provide a notice to the Legislature each time a transfer
40 occurs.

- 1 9. Of the funds appropriated in Schedule (4), \$69,000,000
2 shall be used exclusively to support mental health
3 services that are provided during the 2009–10 fiscal
4 year by county mental health agencies pursuant to
5 Chapter 26.5 (commencing with Section 7570) of Di-
6 vision 7 of Title 1 of the Government Code and that
7 are included within an individualized education pro-
8 gram pursuant to the federal Individuals with Disabil-
9 ities Education Act (20 U.S.C. Sec. 1400 et seq.). Each
10 county office of education receiving these funds shall
11 contract, on behalf of special education local planning
12 areas in its county, with the county mental health
13 agency to provide specified mental health services.
14 This funding shall be considered offsetting revenues
15 within the meaning of subdivision (e) of Section 17556
16 of the Government Code for any reimbursable mandat-
17 ed cost claim for provision of the mental health ser-
18 vices provided in the 2009–10 fiscal year. Amounts
19 allocated to each county office of education shall re-
20 flect the share of the \$69,000,000 in federal special
21 education funds provided to that county in the 2004–05
22 fiscal year for mental health services provided pursuant
23 to Chapter 26.5 (commencing with Section 7570) of
24 Division 7 of Title 1 of the Government Code.
- 25 10. Of the funds appropriated in Schedule (6), \$2,196,000
26 is provided on a one-time basis for science-based
27 professional development as part of the State Personnel
28 Development grant.
- 29 11. *Of the funds appropriated in Schedule (1), up to*
30 *\$3,894,000 shall be available for transfer to the State*
31 *Special Schools for student transportation allowances.*
32 *However, of these funds, the State Department of Ed-*
33 *ucation (SDE) shall obtain written approval from the*
34 *Department of Finance prior to spending \$924,000 to*
35 *address transportation contract increases in the*
36 *2008–09 or 2009–10 fiscal year resulting from fuel*
37 *and insurance costs. The Department of Finance shall*
38 *act within 30 days of receiving justification from the*
39 *SDE for the increased costs.*
40

SEC. 427. Item 6110-166-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-166-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund for purposes of Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code, Partnership Academies Program..... 23,490,000

Schedule:

(1) 10.70.070.001-California Partnership Academies..... 23,490,000

(2) 10.70.070.002-“Green” California Partnership Academies..... 4,000,000
4,438,000

(3) Reimbursements..... -4,000,000
-4,438,000

Provisions:

1. If there are any funds in this item that are not allocated for planning or operational grants, the State Department of Education may allocate those remaining funds as one-time grants to state-funded partnership academies to be used for one-time purposes.
2. The State Department of Education shall not authorize new partnership academies without the approval of the Department of Finance and 30-day notification to the Joint Legislative Budget Committee.
3. Notwithstanding Provisions 1 and 2, the funds appropriated in Schedule (2) shall be available consistent with Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code and pursuant to ~~legislation enacted in the 2008-09 Regular Session Chapter 757 of the Statutes of 2008.~~
4. Of the funds appropriated in Schedule (2), \$438,000 in reimbursements is provided on a one-time basis to support “Green” Partnership Academies.

SEC. 428. Item 6110-166-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-166-0890—For local assistance, Department of Education,
Program 10.70-Vocational Education, payable from the
Federal Trust Fund..... ~~128,813,000~~
139,597,000

Provisions:

1. The funds appropriated in this item include federal Carl D. Perkins Career and Technical Education Act of 2006 funds for the current fiscal year to be transferred to the community colleges by means of interagency agreements for the purpose of funding career technical education programs in community colleges.
2. The State Board of Education and the Board of Governors of the California Community Colleges shall target funds appropriated by this item to provide services to persons participating in welfare-to-work activities under the CalWORKs program.
3. The Superintendent of Public Instruction shall report, not later than February 1 of each year, to the Joint Legislative Budget Committee and the Director of Finance, describing the amount of carryover funds from this item, reasons for the carryover, and plans to reduce the amount of carryover.
4. *Of the funds appropriated in this item, \$10,784,000 is provided from one-time carryover funds for vocational education programs.*

SEC. 429. Item 6110-167-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-167-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.70-Agricultural Career Technical Education Incentive Program established pursuant to Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of Division 4 of Title 2 of the Education Code..... ~~5,158,000~~
5,157,000

Provisions:

1. As a condition of receiving funds appropriated in this item, a school district shall certify to the Superintendent of Public Instruction both of the following:

6110-170-0001—For local assistance, Department of Education,
~~Program 20-Career Technical Education~~, pursuant to Section 88532 of the Education Code..... 0

Schedule:

(1) ~~Career 20.40.800-Career~~ Technical Education..... 18,840,000
 20,208,000

(2) Reimbursements..... -18,840,000
 -20,208,000

Provisions:

1. Funding in this item shall be provided through a transfer from Schedule (21) of Item 6870-101-0001, pursuant to an interagency agreement between the Office of the Chancellor of the California Community Colleges and the State Department of Education.

2. *Of the funds appropriated in this item, \$1,368,000 reflects one-time reimbursement authority to complete five projects funded in the 2008–09 fiscal year.*

SEC. 431. Item 6110-181-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-181-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.10.025-Educational Technology, programs funded pursuant to Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 of Division 4 and Chapter 3.34 (commencing with Section 44730) of Part 25 of Division 3 of Title 2 of the Education Code..... ~~17,558,000~~
17,555,000

Provisions:

1. Of the funds appropriated in this item, \$0 is for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
3. As a part of the support system authorized by paragraph (5) of subdivision (a) of Section 51871 of the Education Code, the California Technology Assistance Project regional consortia shall assist school districts in using pupil achievement data to inform instruction and improve pupil learning. The regional consortia shall also support the identification and dissemination of best practices in the area of data-driven instructional improvement.

SEC. 432. Item 6110-181-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-181-0140—For local assistance, Department of Education, ~~Program 20.10-Instructional Support~~, payable from the California Environmental License Plate Fund, for purposes of Section 21190 of the Public Resources Code..... 360,000

Schedule:

(1) 20.10.055-Environmental Education..... 548,000

(2) Reimbursements..... -188,000

SEC. 433. Item 6110-182-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-182-0001—For local assistance, Department of Education (Proposition 98), Program 20.20.030-K-12 High-Speed Network..... 10,404,000
Provisions:

1. Expenditure authority of no greater than \$15,600,000 is provided for the K-12 High-Speed Network.

(a) Of the amount authorized for expenditure in this provision, \$1,300,000 of unexpended cash reserves from the following appropriations are available to continue management and operation of the network during the ~~2008-09~~ 2009-10 fiscal year: Item 6440-001-0001, Schedule (a), Provision 44 of Chapter 52; *of the Statutes of 2000*; Item 6440-001-0001, Schedule (1), Provision 24 of Chapter 106; *of the Statutes of 2001*; Item 6440-001-0001, Schedule (1), Provision 24 of Chapter 379; *of the Statutes of 2002*; Item 6440-001-0001, Schedule (1), Provision 22 of Chapter 157; *of the Statutes of 2003*; and Item 6110-182-0001, Chapter 208; *of the Statutes of 2004*.

(b) Of the amount authorized for expenditure in this provision, \$4,600,000 shall be funded by E-rate and California Teleconnect Fund moneys. The lead educational agency or the Corporation for Education Network Initiatives in California (CENIC), or both, shall submit quarterly reports to the Department of Finance and the Legislature on funds received from E-rate and the California Teleconnect Fund.

(c) For the ~~2008-09~~ 2009-10 fiscal year, all major subcontracts of the K-12 High-Speed Network program shall be excluded from both the eligible program costs on which indirect costs are charged and from the calculation of the indirect cost rate based on that year's data. For purposes of this

provision, a major subcontract is defined as a subcontract for services in an amount in excess of \$25,000.

SEC. 434. Item 6110-183-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-183-0890—For local assistance, Department of Education,	
Program 20.10.045-Safe and Drug Free Schools and	
Communities Act (Part A of Title IV of P.L. 107-110),	
payable from the Federal Trust Fund.....	26,931,000
	29,231,000

Provisions:

1. Local educational agencies shall give priority in the expenditure of the funds appropriated in this item to create comprehensive drug and violence prevention programs that promote school safety, reduce the use of drugs, and create learning environments that are free of alcohol and guns and that support academic achievement for all pupils. In addition to preventing drug and alcohol use, prevention programs will respond to the crisis of violence in our schools by addressing the need to prevent serious crime, violence, and discipline problems. The Superintendent of Public Instruction shall (a) notify local educational agencies of this policy and (b) incorporate the policy into the State Department of Education's compliance review procedures.
2. *Of the funds appropriated in this item, \$2,300,000 is provided from one-time carryover funds for the Safe and Drug Free Schools Program.*

SEC. 435. Item 6110-189-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-189-0001—For local assistance, Department of Education
(Proposition 98), Program 20.20.020.005-Instructional
Support, for transfer to State Instructional Materials Fund
pursuant to Article 3 (commencing with Section 60240)
of Chapter 2 of Part 33 of Division 4 of Title 2 of the Ed-
ucation Code (Instructional Materials Block Grant)..... ~~416,338,000~~
416,254,000

Provisions:

1. The funds in this item shall be allocated to school districts to purchase standards-aligned instructional materials.
2. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
3. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 436. Item 6110-193-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-193-0001—For local assistance, State Department of
Education (Proposition 98), for transfer to Section A of
the State School Fund, Program 20.60-Staff Develop-
ment..... ~~32,387,000~~
32,380,000

Schedule:

- (1) 20.60.070-Instructional Support: Bilingual Teacher Training Assistance Program..... ~~2,132,000~~
2,131,000
- (2) 20.60.060-Instructional Support:
Teacher Peer Review..... ~~29,854,000~~
29,848,000
- (3) 20.60.110-Instructional Support: Improving School Effectiveness-Reader Services for Blind Teachers..... 401,000

Provisions:

1. The amount appropriated in Schedule (1) shall be allocated for the purposes of the Bilingual Teacher Training Assistance Program established by Article 4

- (commencing with Section 52180) of Chapter 7 of Part 28 of Division 4 of Title 2 of the Education Code.
2. Of the funds appropriated in Schedule (1), \$0 is for the purpose of providing a cost-of-living adjustment.
3. The funds appropriated in Schedule (2) shall be allocated in accordance with Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code. If the funds are insufficient to fully fund growth in this program, the State Department of Education may adjust the per-participant rate to conform to available funds. Funds appropriated in Schedule (2) include \$0 for the purpose of providing a cost-of-living adjustment.
4. The amount appropriated in Schedule (3) shall be allocated for the purposes of the Reader Services for Blind Teachers Program, for transfer to the Reader Employment Fund established by Section 45371 of the Education Code for the purposes of Section 44925 of the Education Code.
5. Of the funds appropriated in Schedule (3), \$0 is for the purpose of providing a cost-of-living adjustment.
6. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 437. Item 6110-193-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-193-0890—For local assistance, Department of Education, Program 20.60-Instructional Support, Part B of Title II of the Elementary and Secondary Education Act (Mathematics and Science Partnership Grants) payable from the Federal Trust Fund.....	21,304,000
	27,865,000

Provisions:

1. *Of the funds appropriated in this item, \$6,561,000 is provided in one-time carryover funds to support the California Mathematics and Science Partnership grant program.*

SEC. 438. *Item 6110-195-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:*

6110-195-0890—For local assistance, Department of Education, Program 20.60-Instructional Support, Part A of Title II of the Elementary and Secondary Education Act (Teacher and Principal Training and Recruiting Fund), payable from the Federal Trust Fund..... 316,836,000

Schedule:

- (1) 20.60.280-Improving Teacher Quality
Local Grants..... 310,932,000
- (2) 20.60.270-Administrator Training Program..... 1,554,000
- (3) 20.60.190.300-California Subject Matter Projects..... 4,350,000

Provisions:

1. The funds appropriated in Schedule (2) shall be for the Administrator Training Program authorized pursuant to Article 4.6 (commencing with Section 44510) of Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code.
2. The funds appropriated in Schedule (3) shall be for transfer to the University of California, which shall use the funds for the Subject Matter Projects pursuant to Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3 of the Education Code.
3. *Of the funds appropriated in Schedule (2), up to \$500,000 may be used to provide professional development for private school teachers and administrators in accordance with federal law. By October 15, 2010, the State Department of Education shall submit to the appropriate budget and policy committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance a report of the number of private school teachers and administrators served under this provision and the type of professional development provided.*

SEC. 439. Item 6110-196-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-196-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of Proposition 98 educational programs funded in this item, in lieu of the amount that otherwise would be appropriated pursuant to any other statute.....

	1,928,645,000
	1,827,110,000

Schedule:

(1) 30.10.010-Special Program, Child Development, Preschool Education.....

	429,376,000
	373,378,000

(1.5) 30.10.020-Child Care Services.....

	2,027,364,000
	2,004,687,000

(a) 30.10.020.001-Special Program, Child Development, General Child Development Programs.....

	779,669,000
	779,849,000

(c) 30.10.020.004-Special Program, Child Development, Migrant Day Care.....

	36,246,000
--	------------

(d) 30.10.020.007-Special Program, Child Development, Alternative Payment Program.....

	258,811,000
--	-------------

(e) 30.10.020.011-Special Program, Child Development, Alternative Payment Program—Stage 2.....

	427,868,000
	439,620,000

1	(f) 30.10.020.012-Spe-	
2	cial Program, Child	
3	Development, Alter-	
4	native Payment Pro-	
5	gram—Stage 3 Seta-	
6	side.....	389,429,000
7		393,373,000
8	(g) 30.10.020.008-Spe-	
9	cial Program, Child	
10	Development, Re-	
11	source and Refer-	
12	ral.....	19,438,000
13	(i) 30.10.020.015-Spe-	
14	cial Program, Child	
15	Development, Extend-	
16	ed Day Care.....	31,801,000
17		5,000,000
18	(j) 30.10.020.096-Special	
19	Program, Child Devel-	
20	opment, Allowance for	
21	Handicapped.....	2,011,000
22	(k) 30.10.020.106-Special	
23	Program, Child Devel-	
24	opment, California	
25	Child Care Initia-	
26	tive.....	250,000
27	(l) 30.10.020.901-Spe-	
28	cial Program, Child	
29	Development, Quali-	
30	ty Improvement.....	63,304,000
31		51,552,000
32	(m) 30.10.020.911-Special	
33	Program, Child Devel-	
34	opment, Centralized	
35	Eligibility List.....	7,900,000
36	(n) 30.10.020.920-Special	
37	Program, Child Devel-	
38	opment, Local Plan-	
39	ning Councils.....	6,637,000

1	(o) 30.10.020.014-Special	
2	Program, Child Devel-	
3	opment, Accounts	
4	Payable.....	4,000,000
5	(3) 30.10.020.908-Special Program, Child	
6	Development, Cost-of-Living Adjust-	
7	ments.....	0
8	(4) 30.10.020.909-Special Program, Child	
9	Development, Growth Adjustments.....	18,916,000
10		0
11	(5) Amount payable from the Federal	
12	Trust Fund (Item 6110-196-0890).....	-547,011,000
13		-550,955,000
14	Provisions:	
15	1. (a) Notwithstanding any other provision of law, alter-	
16	native payment child care programs shall be sub-	
17	ject to the rate ceilings established in the Regional	
18	Market Rate Survey of California child care and	
19	development providers for provider payments.	
20	When approved pursuant to Section 8447 of the	
21	Education Code, any changes to the market rate	
22	limits, adjustment factors or regions shall be uti-	
23	lized by the State Department of Education and	
24	the State Department of Social Services in various	
25	programs under the jurisdiction of either depart-	
26	ment.	
27	(b) Notwithstanding any other provision of law, the	
28	funds appropriated in this item for the cost of li-	
29	censed child care services provided through alter-	
30	native payment or voucher programs including	
31	those provided under Article 3 (commencing with	
32	Section 8220) and Article 15.5 (commencing with	
33	Section 8350) of Chapter 2 of Part 6 of Division	
34	1 of Title 1 of the Education Code shall be used	
35	only to reimburse child care costs up to the 75th	
36	85th percentile of the rates charged by providers	
37	offering the same type of child care for the same	
38	age child in that region effective July 1, 2009,	
39	based on the 2007 2005 Regional Market Rate	
40	Survey data.	

- 1 2. Of the amount appropriated in Schedule (1),
2 \$50,000,000 is available for ~~Prekindergarten~~
3 *prekindergarten* and ~~Family Literacy~~ *family literacy*
4 preschool programs pursuant to Chapter 211 of the
5 Statutes of 2006. Of the amount appropriated in
6 Schedule (1), \$5,000,000 is available for the provision
7 of wraparound care to children enrolled in state
8 preschool programs. The Superintendent of Public
9 Instruction shall assign priority for these funds to
10 children enrolled in prekindergarten and family literacy
11 *preschool* programs authorized by Section 8238.4 of
12 the Education Code.
- 13 3. Funds in Schedule (1.5)(I) shall be reserved for activ-
14 ities to improve the quality and availability of child
15 care, pursuant to the following:
- 16 (a) ~~\$1,964,262~~ *\$1,930,629* is for the schoolage care
17 and resource and referral earmark.
- 18 (b) ~~\$11,062,664~~ *\$10,873,244* is for the infant and
19 toddler earmark and shall be used for increasing
20 the supply of quality child care for infants and
21 toddlers.
- 22 (c) \$2,969,000 in one-time federal funding is avail-
23 able for use in the 2009–10 fiscal year. ~~First pri-~~
24 ~~ority shall be to fully fund Trustline workload as~~
25 ~~determined by the Department of Social Services~~
26 ~~in conjunction with the Department of Education.~~
27 The remaining funds shall be used for child care
28 and development quality expenditures identified
29 by the State Department of Education (SDE) and
30 approved by the Department of Finance.
- 31 (d) From the remaining funds in Schedule (1.5)(I),
32 the following amounts shall be allocated for the
33 following purposes: \$4,000,000 to train former
34 CalWORKs recipients as child care teachers,
35 ~~\$2,700,000~~ *for which administrative costs shall*
36 *be minimized to allow for maximum enrollment,*
37 *with priority for funding given to programs at*
38 *community colleges that have demonstrated high*
39 *completion rates; \$2,500,000 for training license-*
40 *exempt child care providers, with priority given*

to participants serving subsidized children; \$8,000,000 for contracting with the State Department of Social Services (DSS) for increased inspections of child care facilities;; \$1,000,000 for Trustline registration workload (Chapter 3.35 (commencing with Section 1596.60) of Division 2 of the Health and Safety Code);; \$500,000 for health and safety training for licensed and exempt child care providers;; \$300,000 for the Health Hotline;; and \$300,000 to implement a technical assistance program to child care providers in accessing financing for renovation, expansion, or construction of child care facilities. *Of the amounts specified in this provision, first priority shall be to fully fund Trustline registration workload as determined by the DSS in conjunction with the SDE.*

4. Of the amount appropriated in Schedule (1.5)(I), \$15,000,000 shall be for child care worker recruitment and retention programs pursuant to Section 8279.7 of the Education Code, and \$320,000 shall be for the Child Development Training Consortium.
5. (a) The State Department of Education (SDE) shall conduct monthly analyses of CalWORKs Stage 2 and Stage 3 caseloads and expenditures and adjust agency contract maximum reimbursement amounts and allocations as necessary to ensure funds are distributed proportionally to need. The SDE shall share monthly caseload analyses with the State Department of Social Services (DSS).
- (b) The SDE shall provide quarterly information regarding the sufficiency of funding for Stage 2 and Stage 3 to DSS. The SDE shall provide caseloads, expenditures, allocations, unit costs, family fees, and other key variables and assumptions used in determining the sufficiency of state allocations. Detailed backup by month and on a county-by-county basis shall be provided to the DSS at least on a quarterly basis for comparisons with Stage 1 trends.

- 1 (c) By September 30 and March 30 of each year, the
2 SDE shall ensure that detailed caseload and expen-
3 diture data, through the most recent period for
4 Stage 2 and Stage 3 Setaside along with all rele-
5 vant assumptions, is provided to DSS to facilitate
6 budget development. The detailed data provided
7 shall include actual and projected monthly
8 caseload from Stage 2 scheduled to time off of
9 their transitional child care benefit from the last
10 actual month reported by agencies through the
11 next two fiscal years as well as local attrition ex-
12 perience. DSS shall utilize data provided by the
13 SDE, including key variables from the prior fiscal
14 year and the first two months of the current fiscal
15 year, to provide coordinated estimates in
16 November of each year for each of the three stages
17 of care for preparation of the Governor's Budget,
18 and shall utilize data from at least the first two
19 quarters of the current fiscal year, and any addi-
20 tional monthly data as they become available for
21 preparation of the May Revision. The DSS shall
22 share its assumptions and methodology with the
23 SDE in the preparation of the Governor's Budget.
- 24 (d) The SDE shall coordinate with the DSS to identify
25 annual general subsidized child care program ex-
26 penditures for Temporary Assistance for Needy
27 Families-eligible children. The SDE shall modify
28 existing reporting forms as necessary to capture
29 this data.
- 30 (e) The SDE shall provide to the DSS, upon request,
31 access to the information and data elements nec-
32 essary to comply with federal reporting require-
33 ments and any other information deemed neces-
34 sary to improve estimation of child care budgeting
35 needs.
- 36 6. Notwithstanding any other provision of law, the funds
37 in Schedule (1.5)(f) are reserved exclusively for con-
38 tinuing child care for the following: (a) former Cal-
39 WORKS families who are working, have left cash aid,
40 and have exhausted their two-year eligibility for tran-

sitional services in either Stage 1 or 2 pursuant to subdivision (c) of Section 8351 or Section 8353 of the Education Code, respectively, but still meet eligibility requirements for receipt of subsidized child care services, and (b) families who received lump-sum diversion payments or diversion services under Section 11266.5 of the Welfare and Institutions Code and have spent two years in Stage 2 off of cash aid, but still meet eligibility requirements for receipt of subsidized child care services.

7. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
8. (a) Notwithstanding any other provision of law, the income eligibility limits pursuant to Section 8263.1 of the Education Code that were ~~applicable to in effect for the 2007-08 and 2008-09 fiscal years~~ shall remain in effect for the 2009-10 fiscal year.
- (b) ~~Notwithstanding any other provision of law, the State Department of Social Services shall, in consultation with the State Department of Education, adjust the family fee schedule for child care providers to reflect a state median income of \$66,166 annually for a family of four. The fee schedule shall retain a flat fee per family and begin at income levels at which families currently begin paying fees. The revised fee schedule shall increase the lowest fees by \$2 per day and continue to increase fees on a sliding scale up to a maximum of 10 percent of income at a lower point in the income eligibility spectrum when compared to the current schedule family fee schedule that was in effect for the 2007-08 and 2008-09 fiscal~~

years shall remain in effect for the 2009–10 fiscal year, and shall retain a flat fee per family.

(e) ~~Notwithstanding any other provision of law, the State Department of Social Services shall submit the revised family fee schedule for approval by the Department of Finance no later than 15 days after enactment of the 2009 Budget Act. The Department of Finance shall approve or revise the fee schedule within 30 days of receipt and shall notify the Department of Education of the approved fee schedule, which shall implement the new fee schedule for the 2009–10 fiscal year without delay.~~

9. Of the amounts provided in this item, \$0 is available to provide a cost-of-living adjustment for Schedules (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(g), (1.5)(i), (1.5)(j), and (1.5)(n). The maximum standard reimbursement rate shall not exceed \$34.38 per day for general child care programs and \$21.22 per day for state preschool programs. Furthermore, the migrant child care and Cal-SAFE child care programs shall adhere to the maximum standard reimbursement rates as prescribed for the general child care programs. All other rates and adjustment factors shall conform.
10. Of the amounts provided in this item, ~~\$18,916,000~~ \$0 is available to provide a growth adjustment for Schedules (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(i), and (1.5)(j).
11. Notwithstanding any other provision of law, the funds in Schedule (1.5)(m) are appropriated exclusively for developing and maintaining a centralized eligibility list in each county pursuant to Section 8227 of the Education Code. By November 1 of each year, the State Department of Education shall provide a status report on implementing eligibility lists in each county, which shall include, but is not limited to, the cost of implementation and operation of the eligibility lists in each county, and number of children and families on the list for each county.

12. Notwithstanding Section 8278.3 of the Education Code or any other provision of law, up to \$5,000,000 of the Child Care Facilities Revolving Fund balance may be allocated for use on a one-time basis for renovations and repairs to meet health and safety standards, to comply with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and to perform emergency repairs, that were the result of an unforeseen event and are necessary to maintain continued normal operation of the child care and development program. These funds shall be made available to school districts and contracting agencies that provide subsidized center-based services pursuant to the Child Care and Development Services Act (Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 of the Education Code).
13. (a) The State Department of Education (*SDE*) shall collect the following information *through the use of consultant services, based on consultation with the State Department of Social Services regarding the selection of the data to be collected. The SDE shall require the contractor to coordinate with the Alternative Payment Monitoring Unit to validate the findings of the survey for those data elements that can be collected during the course of regularly scheduled compliance reviews of center-based child care and alternative payment providers based on consultation with the Department of Social Services regarding the selection of the data to be collected, to the extent practicable:*
 - (1) Profiles of the subsidized population, disaggregated for each major program, *including, but not limited to, half-day State Preschool, General Child Care, Alternative Payment Programs, and CalWORKs Child Care*, sufficient to determine both the numbers and ages of children and proportion of subsidized children and families by type of subsidized care (e.g., family child care homes, centers, license-exempt providers); by family income

and family size; the numbers and proportions of children utilizing more than one type of subsidized child care; the work status of parents of children receiving subsidized child care; the numbers and proportions of children in full-time care and in part-time care; the ages of children at time of entry into a subsidized child care program; and the numbers and proportions of foster children receiving subsidized child care.

- (2) For each major program, *as specified in paragraph (1)*, quantify the family fees collected, ~~quantify estimate~~ the family ~~co-payments~~ *copayments* collected, provide the number and proportion of children and families paying family fees, *estimate the* number and proportion of children and families ~~paying co-payments~~, *subject to copayments* and the number of children and families exempted from family fees ~~per by income category by level and family size~~. In addition, identify and classify the reasons for fee exemptions.
- (3) Within and across all major programs, *as specified in paragraph (1)*, determine the monthly rates of attrition of families. Also, for each program determine the number and percentage of families receiving child care ~~due to the following reasons:~~ *by category of eligibility and need pursuant to subdivision (a) of Section 8263 of the Education, Code, including, but not limited to*, child protective services, foster care, seeking work, working, or in training programs leading to work, and the relative distribution of families entering the system by family income and size.
- (4) For each alternative payment-based program, determine the incidence, relative proportion, and dollar magnitude of actual care payments per child and family that are in excess of or below the current mean-market rates. Classify

the occurrences in percentage increments
from the mean-market rate.

- (b) The data shall be provided to the *State* Department of Social Services, the Department of Finance, and the Legislative Analyst no later than September 1, 2010.

14. *The funds appropriated in Schedule (1.5)(i), 30.10.020.015 for Extended Day Care, shall be available to provide services until August 31, 2009. It is the intent of the Legislature that any child who may be displaced as a result of this program's becoming inoperative be provided services under the state's subsidized child care, After School Education and Safety Program, or both.*

15. *Notwithstanding any other provision of law, funds in Schedule (1.5)(o) are available for accounts payable for non-CalWORKs child care programs and to reimburse non-CalWORKs alternative payment programs for actual and allowable costs incurred for additional services, pursuant to Section 8222.1 of the Education Code. The State Department of Education shall give priority for the allocation of these funds for accounts payable.*

SEC. 440. *Item 6110-196-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:*

6110-196-0890—For local assistance, Department of Education,	
payable from the Federal Trust Fund.....	547,011,000
	550,955,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item, to the extent permissible under federal law, are subject to Section 8262 of the Education Code.
2. Of the funds appropriated in this item, \$10,000,000 is from the transfer of funds, pursuant to Item 5180-402, from the federal Temporary Assistance for Needy Families (TANF) Block Grant administered by the State Department of Social Services to the federal

Child Care and Development Block Grant for Stage
2 child care.

4. Of the funds appropriated in this item, \$2,969,000 is
available on a one-time basis for quality projects from
federal Child Care and Development Block Grant
funds appropriated prior to the 2009 federal fiscal year.

5. Of the funds appropriated in this item, ~~\$19,293,000~~
~~\$27,423,000~~ is available on a one-time basis for Cal-
WORKs Stage 3 child care from federal Child Care
and Development Block Grant funds appropriated
prior to the 2009 federal fiscal year.

*SEC. 441. Item 6110-197-0890 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

6110-197-0890—For local assistance, Department of Education, payable from the Federal Trust Fund, 21st Century Com- munity Learning Centers Program.....	129,371,000 169,371,000
--	---------------------------------------

Schedule:

(1) 30.10.080-Special Program, Child De- velopment, 21st Century Community Learning Centers Program.....	129,371,000 169,371,000
--	---------------------------------------

Provisions:

1. The State Department of Education shall provide an
annual report to the Legislature and Department of
Finance by November 1 of each year that identifies
by cohort for the previous fiscal year each high school
program funded, the amount of the annual grant and
actual funds expended, the numbers of pupils served
and planned to be served, and the average cost per
pupil per day. If the average cost per pupil per day
exceeds \$10 per day, the department shall provide
specific reasons why the costs are justified and cannot
be reduced. In calculating cost per pupil per day, the
department shall not count attendance unless the pupil
is under the direct supervision of after school program
staff funded through the grant. Additionally, the depart-
ment shall calculate cost per day on the basis of the

equivalent of a three-hour day for 180 days per school year. The department shall also identify for each program, as applicable, if the attendance of pupils is restricted to any particular subgroup of pupils at the school in which the program is located. If such restrictions exist, the department shall provide an explanation of the circumstances and necessity therefor.

2. *Of the funding provided in this item, \$40,000,000 is available from one-time carryover funds from prior years.*

3. *The State Department of Education shall, by March 1, 2010, provide a report to the Department of Finance and the Legislative Analyst's Office that includes, allocation and expenditure data for all programs funded in this item in the past three years, the reasons for carryover, and the planned uses of carryover funds.*

SEC. 442. Item 6110-198-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-198-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation to school districts and county offices of education, in lieu of the amount that otherwise would be appropriated pursuant to statute....

	57,917,000
	57,905,000

Schedule:

- | | |
|---|------------|
| (1) 20.60.220-Cal-SAFE Academic and Supportive Services..... | 19,804,000 |
| | 19,800,000 |
| (2) 20.60.221-All Services for Non-converting Pregnant Minors Programs..... | 13,330,000 |
| | 13,327,000 |
| (3) 30.10.020-Cal-SAFE Child Care..... | 24,783,000 |
| | 24,778,000 |

Provisions:

1. The amounts appropriated in Schedules (1), (2), and (3) are based on estimates of the amounts required by existing programs for operation of Cal-SAFE programs in the current year. By October 31 of each year, the

1 State Department of Education (SDE) shall submit to
2 the Department of Finance current expenditure data
3 for both the prior fiscal year and the current year
4 showing each agency's allocation and supporting detail
5 including average daily attendance and child care at-
6 tendance and enrollment data. The SDE shall also
7 provide estimates of average daily attendance and child
8 care to be provided in the budget year.

- 9 2. Funds appropriated in Schedule (2) are available to
10 provide funding for all child care, as well as both
11 academic and supportive services for programs
12 choosing to retain their Pregnant Minors Program
13 revenue limit. Notwithstanding any other provision of
14 law, the State Department of Education shall compute
15 allocations to these agencies using the respective
16 agencies' 1998-99 Pregnant Minors Program revenue
17 limits. Further, notwithstanding any other provision
18 of law, programs which choose to retain their Pregnant
19 Minors Program revenue limit rather than convert to
20 the Cal-SAFE revenue limit must provide child care
21 within the revenue limit funding for children of pupils
22 comprising base year average daily attendance.
- 23 3. Of the funds appropriated in this item, \$0 is for the
24 purpose of providing a cost-of-living adjustment.
- 25 4. The funds appropriated in this item reflect a reduction
26 to the base funding of ~~0.3~~ 0.32 percent for a statewide
27 decline in average daily attendance. No funds may be
28 allocated for the addition of new Cal-SAFE agencies
29 unless an existing grantee ceases providing services.
30 Any allocations for new agencies shall be limited to
31 the amount previously allocated to the agency with-
32 drawing services; however, in no case shall allocations
33 for authorized agencies exceed the amount appropriat-
34 ed in this item.
- 35 5. Notwithstanding Section 26.00, the State Department
36 of Education may transfer expenditure authority be-
37 tween Schedule (1) Cal-SAFE Academic and Support-
38 ive Services and Schedule (2) All Services for Noncon-
39 verting Pregnant Minors Programs, to accurately re-
40 flect expenditures in these programs, upon approval

of the Department of Finance and notification of the Legislature.

6. In the event that funding in this item is insufficient to serve all eligible pupils, the State Department of Education shall prorate the amounts in Schedules (1) and (2).

SEC. 443. Item 6110-198-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-198-0890—For local assistance, Department of Education, American Recovery and Reinvestment Act (P.L. 111-5), payable from the Federal Trust Fund..... 110,137,000

Schedule:

- (2) 30.10.020.001-Special Program, Child Development, General Child Development Programs..... 17,347,000*
- (2.4) 30.10.020.004-Special Program, Child Development, Migrant Day Care..... 3,087,000*
- (3) 30.10.020.007-Special Program, Child Development, Alternative Payment Program..... 15,743,000*
- (3.5) 30.10.020.011-Special Program, Child Development, Alternative Payment Program-Stage 2..... 36,272,000*
- (3.6) 30.10.020.012-Special Program, Child Development, Alternative Payment Program-Stage 3..... 18,905,000*
- (4) 30.10.020.901-Special Program, Child Development, Quality Improvement..... 18,783,000*

Provisions:

- 1. Of the funds appropriated in Schedule (4), \$5,273,000 is for activities to improve the quality of child care for infants and toddlers and \$1,758,000 is for the improvement of the quality of care for children from birth to five years of age, as identified by the State Department of Education and approved by the Department of Finance.*
- 2. The State Department of Education shall ensure that provider contracts include provisions that advise*

families receiving services with American Recovery and Reinvestment Act funds in General Child Care, Migrant Day Care, and Alternative Payment programs that they will cease to receive services when these funds are exhausted, unless they can be accommodated through attrition in capped programs funded with Proposition 98 General Fund funds, federal base Child Care and Development Block Grant funds, or both.

SEC. 444. Item 6110-201-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-201-0890—For local assistance, Department of Education, Program 30.20-Child Nutrition, payable from the Federal Trust Fund..... 1,757,891,000
2,034,917,000

Schedule:

(1) 30.20.010-Child Nutrition Programs..... 1,725,441,000
2,002,467,000

(2) 30.20.040-Summer Food Service Program..... 32,450,000

Provisions:

1. Of the amount appropriated in Schedule (1), \$3,989,000 \$5,041,000 is provided from one-time federal funds for Fresh Fruit and Vegetable Program grants to local educational agencies.

SEC. 445. Item 6110-202-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-202-0001—For local assistance, Department of Education, Program 30.20.010-Child Nutrition Programs..... 11,075,000

Provisions:

1. Funds appropriated are for child nutrition programs pursuant to Section 41311 of the Education Code. Claims for reimbursement of meals pursuant to this appropriation shall be submitted no later than September 30, 2009 2010, to be eligible for reimbursement.

2. Funds appropriated shall be available for allocation in accordance with Section 49536 of the Education Code, except that the allocation shall not be made based on all meals served, but based on the number of meals that are served and that qualify as free or reduced-price meals in accordance with Sections 49501, 49550, and 49552 of the Education Code.
3. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
4. Of the funds appropriated in this item, \$195,000 is for the purpose of providing a growth adjustment due to an increase in the projected number of meals served.

SEC. 446. Item 6110-203-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-203-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 30.20.010-Child Nutrition Programs, established pursuant to Sections 41311, 49501, 49536, 49550, 49552, and 49559 of the Education Code..... 134,044,000

Schedule:

- | | |
|--|-------------|
| (1) 30.20.010-Child Nutrition Programs.... | 134,386,000 |
| (2) Reimbursements..... | -342,000 |

Provisions:

1. Funds appropriated in Schedule (1) shall be allocated pursuant to Section 41311 of the Education Code. Claims for reimbursement of meals pursuant to this allocation shall be submitted by school districts on or before September 30, ~~2009~~ 2010, to be eligible for reimbursement.
2. Funds designated for child nutrition programs in Schedule (1) shall be allocated in accordance with Section 49536 of the Education Code; however, the allocation shall be based not on all meals served, but on the number of meals that are served and that qualify as free or reduced-price meals in accordance with Sections 49501, 49550, and 49552 of the Education Code.

4. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
5. Of the funds appropriated in this item, \$8,359,000 is for the purpose of providing a growth adjustment due to an increase in the projected number of meals served.
6. If the appropriation in this item is insufficient to fully fund all eligible reimbursement claims pursuant to Section 49430.5 of the Education Code, the State Department of Education shall reimburse eligible claims at a prorated share of the funds appropriated ~~by~~ *in* this item.
7. The State Department of Education shall notify the Department of Finance in writing 30 days prior to paying prior year reimbursement claims from this item pursuant to Section 16304.1 of the Government Code. No reimbursements shall be made prior to final approval of the Department of Finance.

SEC. 447. Item 6110-211-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-211-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, ~~Program 20.60.036 for Categorical Programs~~ for charter schools, in accordance with Section 47634.1 of the Education Code..... 226,501,000

Schedule:

- (1) *20.60.036.003-Instructional Support:
Categorical Programs for Charter
Schools..... 163,970,000*
- (2) *20.60.036.006-Instructional Support:
Economic Impact Aid for Charter
Schools..... 62,531,000*

Provisions:

1. The State Department of Education shall provide an estimate of average daily attendance expected to be claimed for this item for the 2010–11 fiscal year to the Department of Finance and the Legislative Analyst’s Office by October 1 of each year, for use in developing the Governor’s Budget. The State Department

of Education shall provide an update of the estimate by March 31 of each year, for preparation of the May Revision.

2. An additional \$5,947,000 in expenditures for ~~this item~~ *Schedule (1)* has been deferred until the 2010–11 fiscal year.
3. *Funds appropriated in Schedule (1) are provided solely for the purpose for which categorical block grants are calculated pursuant to paragraph (1) of subdivision (c) of Section 47634.1 of the Education Code. Funds appropriated in Schedule (2) are provided solely for the purpose for which categorical block grants are calculated pursuant to paragraph (2) of subdivision (c) of Section 47634.1 of the Education Code.*
4. *The Department of Finance may transfer funds between Schedules (1) and (2) as needed to ensure that the Charter School Categorical Block Grant is funded consistent with the provisions of Section 47634.1 of the Education Code, provided that the total amount allocated to charter schools in Schedule (1) is the result of applying the same proportional cut that other categorical programs received pursuant to Section 12.42. The Department of Finance may not authorize such a transfer sooner than 30 days after notifying the Chairperson of the Joint Legislative Budget Committee in writing of the necessity to authorize the transfer.*

SEC. 448. Item 6110-220-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

<p>6110-220-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Charter 20.60.036-Charter School Facility Grant Program, as set forth in Section 47614.5 of the Education Code.....</p>	<p>56,720,000</p>
---	-------------------

SEC. 449. Item 6110-228-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-228-0001—For local assistance, Department of Education
 (Proposition 98), Program 20.60.020.011-School Safety
 Block Grant, for transfer by the Controller to Section A
 of the State School Fund for allocation by the Superinten-
 dent of Public Instruction..... 61,010,000
 60,990,000

Provisions:

1. The funds appropriated are available to fund block grants for middle and junior high schools and high schools that serve grades 8 to 12, inclusive, pursuant to Article 3.6 (commencing with Section 32228) and Article 3.8 (commencing with Section 32239.5) of Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code. An additional \$38,720,000 in expenditures for this purpose has been deferred to the ~~2009-10~~ 2010-11 fiscal year. Of the amount deferred, \$1,000,000 shall be made available for county offices of education pursuant to Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code.
2. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
3. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
4. The funds appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for comprehensive school safety plans. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

SEC. 450. Item 6110-240-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-240-0001—For local assistance, Department of Education
 (Proposition 98)..... 3,048,000
 3,047,000

Schedule:

(1) 10.80.030-Instruction: International Baccalaureate Diploma Program.....	1,269,000
(2) 20.70-Instructional Support: Assessments (Advanced Placement Fee Waiver Program).....	1,779,000
	1,778,000

Provisions:

1. The funds appropriated in Schedule (1) shall be for the International Baccalaureate Diploma Program authorized by Chapter 12.5 (commencing with Section 52920) of Part 28 of Division 4 of Title 2 of the Education Code.
2. The funds appropriated in Schedule (2) shall be for grants for advanced placement examination fees as authorized by Chapter 8.3 (commencing with Section 52240) of Part 28 of Division 4 of Title 2 of the Education Code.
3. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
4. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 451. Item 6110-240-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-240-0890—For local assistance, Department of Education, Program 20.70.010-Instructional Support: Advanced Placement Fee Waiver, payable from the Federal Trust Fund..... 3,670,000

Provisions:

1. Funding shall be used to fully satisfy the demand for advanced placement examination fee reimbursements for low-income pupils. Any funding remaining after the demand for advanced placement examination fee reimbursements has been fully satisfied may be used on a one-time basis for preadvanced placement activities as specified under the conditions of the federal grant application through which these funds were au-

thorized. Use of funding for this alternative purpose shall neither create nor imply any continuing obligation to fund the alternative activities beyond the ~~2008–09~~ 2009–10 fiscal year.

SEC. 452. Item 6110-243-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-243-0001—For local assistance, Department of Education (Proposition 98), *Program 10-Instruction*, for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the unscheduled Pupil Retention Block Grant pursuant to Article 2 (commencing with Section 41505) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... ~~95,666,000~~
95,647,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 453. Item 6110-244-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-244-0001—For local assistance, Department of Education (Proposition 98), *Program 20.60* for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction for the Teacher Credentialing Block Grant pursuant to Article 4 (commencing with Section 41520) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... ~~132,443,000~~
112,773,000

Provisions:

1. Of the funds appropriated in this item, \$3,329,000 is available to support the Teacher Credentialing Block Grant regional infrastructure.

2. It is the intent of the Legislature that first-year holders of preliminary teaching credentials, as defined in subdivision (b) of Section 44259 of the Education Code, be afforded first priority for funding appropriated in this item. To the extent that any funds appropriated in this item remain after all first-year holders of preliminary teaching credentials have been served, those funds may be used to serve second-year holders of preliminary teaching credentials.
3. If funds are insufficient to service all second-year holders of preliminary teaching credentials, the State Department of Education shall prorate the funds to conform to the amount remaining in this item, consistent with Provision 2.
4. Of the funds appropriated in this item, \$0 is provided for a cost-of-living adjustment for a total per-participant rate of \$4,069.
5. The funds in this item shall be made available only to beginning teachers, as defined in Section 44279.1 of the Education Code, serving in their first or second year of service in California.

SEC. 454. Item 6110-245-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-245-0001—For local assistance, Department of Education (Proposition 98), Program 20.60 for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction for the Professional Development Block Grant, pursuant to Article 5 (commencing with Section 41530) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code ~~272,469,000~~
272,414,000

Provisions:

1. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base of ~~0.3~~ 0.32 percent for a decline in statewide average daily attendance.

3. Local educational agencies may use these funds to award incentive grants to teachers with certification by the National Board for Professional Teaching Standards that are teaching in low-performing schools pursuant to Article 13 (commencing with Section 44395) of Chapter 2 of Part 25 of Division 3 of Title 2 of the Education Code.

SEC. 455. Item 6110-246-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-246-0001—For local assistance, Department of Education (Proposition 98), *Program 10-Instruction*, for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the unscheduled Targeted Instructional Improvement Block Grant pursuant to Article 6 (commencing with Section 41540) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... 966,809,000
966,595,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
3. Notwithstanding any other provision of law, an additional \$100,118,000 in expenditures for this item has been deferred until the following fiscal year.

SEC. 456. Item 6110-247-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-247-0001—For local assistance, Department of Education
(Proposition 98), *Program 10-Instruction*, for transfer by
the Controller to Section A of the State School Fund for
allocation by the Superintendent of Public Instruction for
the unscheduled School and Library Improvement Block
Grant pursuant to Article 7 (commencing with Section
41570) of Chapter 3.2 of Part 24 of Division 3 of Title 2
of the Education Code..... ~~461,642,000~~
461,549,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item also reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 457. Item 6110-248-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-248-0001—For local assistance, Department of Education
(Proposition 98), *Program 20-Instructional Support*, for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the unscheduled School Safety Consolidated Competitive Grant pursuant to Article 3 (commencing with Section 41510) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... ~~17,902,000~~
17,899,000

Provisions:

1. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
3. Notwithstanding any other provision of law, up to \$400,000 of the funds appropriated in this item may be used for contracts with county offices of education to provide regional training in safe school planning and crisis response and for statewide coordination of such training.

4. The funds contained in this item shall first be used to offset any state-mandated reimbursable costs that may otherwise be claimed for the ~~state-mandates-reimbursable~~ process of implementing Chapter 996 of the Statutes of 1999. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

SEC. 458. Item 6110-268-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-268-0001—For local assistance, Department of Education (Proposition 98), *Program 20-Instructional Support*, Child Oral Health Assessments Program, pursuant to ~~Article 4 (commencing with Section 49452.8)~~ 49452.8 of Chapter 9 of Part 27 of the Education Code..... 4,400,000

Provisions:

1. The funds appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for child oral health assessments. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

SEC. 459. Item 6110-295-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-295-0001—For local assistance, Department of Education (Proposition 98), for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the cost of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the Controller..... 38,000

39,000

1	Schedule:	
2	(1) 98.01.003.677-Annual Parent Notifica-	
3	tion (Ch. 36, Stats. 1977, et al.) (CSM	
4	4445, 4453, 4461, 4462, 4474, 4488,	
5	97-TC-24, 99-TC-09, 00-TC-12).....	1,000
6	(2) 98.01.009.894-Caregiver Affidavits (Ch.	
7	98, Stats. 1994) (CSM 4497).....	1,000
8	(3) 98.01.016.193-Intradistrict Attendance	
9	(Ch. 161, Stats. 1993) (CSM 4454).....	1,000
10	(4) 98.01.048.765-Mandate Reimbursement	
11	Process (Ch. 486, Stats. 1975) (CSM	
12	4485).....	1,000
13	(5) 98.01.049.801-Graduation Requirements	
14	(Ch. 498, Stats. 1983) (CSM 4435).....	1,000
15	(6) 98.01.049.802-Notification of Truancy	
16	(Ch. 498, Stats. 1983) (CSM 4133).....	1,000
17	(7) 98.01.049.803-Pupil Suspensions, Expul-	
18	sions, Expulsion Appeals (Ch. 498,	
19	Stats. 1983, et al.) (CSM 4455, 4456,	
20	and 4463).....	1,000
21	(8) 98.01.078.192-Charter Schools (Ch.	
22	781, Stats. 1992) (CSM 4437).....	1,000
23	(9) 98.01.079.980-PERS Death Benefits	
24	(Ch. 799, Stats. 1980).....	1,000
25	(10) 98.01.081.891-AIDS Prevention Instruc-	
26	tion I and II (Ch. 818, Stats. 1991; Ch.	
27	403, Stats. 1998) (CSM 4422; 99-TC-	
28	07, 00-TC-01).....	1,000
29	(11) 98.01.096.175-Collective Bargaining	
30	(Ch. 961, Stats. 1975) (CSM 4425, 97-	
31	TC-08).....	1,000
32	(12) 98.01.096.577-Pupil Health Screenings	
33	(Ch. 1208, Stats. 1976) (CSM 4440)....	1,000
34	(13) 98.01.097.595-Physical Performance	
35	Tests (Ch. 975, Stats. 1995) (96-365-	
36	01).....	1,000
37	(14) 98.01.101.184-Juvenile Court Notices	
38	II (Ch. 1011, Stats. 1984; Ch. 1423,	
39	Stats. 1984) (CSM 4475).....	1,000

1	(15) 98.01.110.784-Removal of Chemicals	
2	(Ch. 1107, Stats. 1984) (CSM 4211,	
3	4298).....	1,000
4	(16) 98.01.111.789-Law Enforcement	
5	Agency Notifications (Ch. 1117, Stats.	
6	1989) (CSM 4505, 4505-2).....	1,000
7	(17) 98.01.117.677-Immunization Records	
8	(Ch. 1176, Stats. 1977) (SB 90-120)....	1,000
9	(18) 98.01.118.475-Habitual Truants (Ch.	
10	1184, Stats. 1975) (CSM 4487, 4487-	
11	A).....	1,000
12	(19) 98.01.125.375-Expulsion Transcripts	
13	(Ch. 1253, Stats. 1975).....	1,000
14	(20) 98.01.130.689-Notification to Teachers	
15	of Public Expulsion (Ch. 1306, Stats.	
16	1989) (CSM 4452).....	1,000
17	(21) 98.01.134.780-Scoliosis Screening (Ch.	
18	1347, Stats. 1980) (CSM 4195).....	1,000
19	(22) 98.01.139.874-PERS Unused Sick	
20	Leave Credit (Ch. 1398, Stats. 1974)....	1,000
21	(23) 98.01.030.995-Pupil Residency Verifi-	
22	cation and Appeals (Ch. 309, Stats.	
23	1995) (96-384-01).....	1,000
24	(24) 98.01.058.897-Criminal Background	
25	Checks (Ch. 558, Stats. 1997) (97-TC-	
26	16).....	1,000
27	(25) 98.01.083.194-School Bus Safety I and	
28	II (Ch. 624, Stats. 1992; Ch. 831, Stats.	
29	1994; Ch. 739, Stats. 1997) (97-TC-	
30	22).....	0
31	(26) 98.01.046.576-Public Safety Officers	
32	Procedural Bill of Rights Act (Ch. 465,	
33	Stats. 1976) (CSM 4499).....	1,000
34	(27) 98.01.361.977-Financial and Compli-	
35	ance Audits (Ch. 36, Stats. 1977) (CSM	
36	4498, 4498-A).....	1,000
37	(28) 98.01.064.097-Physical Education Re-	
38	ports (Ch. 640, Stats. 1997) (98-TC-	
39	08).....	1,000

1	(29) 98.01.112.096-Health Benefits for Sur-	
2	vivors of Peace Officers and Firefight-	
3	ers (Ch. 1120, Stats. 1996) (97-TC-	
4	25).....	0
5	(30) 98.01.091.787-County Office of Educa-	
6	tion Fiscal Accountability Reporting	
7	(Ch. 917, Stats. 1987) (97-TC-20).....	1,000
8	(31) 98.01.010.081-School District Fiscal	
9	Accountability Reporting (Ch. 100,	
10	Stats. 1981) (97-TC-19).....	1,000
11	(32) 98.01.012.693-Law Enforcement Sexual	
12	Harassment Training (Ch. 126, Stats.	
13	1993) (97-TC-07).....	0
14	(33) 98.01.078.495-County Treasury With-	
15	drawals (Ch. 784, Stats. 1995) (96-365-	
16	03).....	0
17	(34) 98.01.073.697-Comprehensive School	
18	Safety Plans (Ch. 736, Stats. 1997) (98-	
19	TC-01, 99-TC-10).....	1,000
20	(35) 98.01.032.578-Immunization Records—	
21	Hepatitis B (Ch. 325, Stats. 1978; Ch.	
22	435, Stats. 1979) (98-TC-05).....	1,000
23	(36) 98.01.119.280-School District Reorga-	
24	nization (Ch. 1192, Stats. 1980; Ch.	
25	1186, Stats. 1994) (98-TC-24).....	1,000
26	(37) 98.01.003.498-Charter Schools II (Ch.	
27	34, Stats. 1998; Ch. 673, Stats. 1998)	
28	(99-TC-03).....	1,000
29	(38) 98.01.059.498-Criminal Background	
30	Checks II (Ch. 594, Stats. 1998; Ch.	
31	840, Stats. 1998; Ch. 78, Stats. 1999)	
32	(00-TC-05).....	1,000
33	(39) 98.01.117.096-Grand Jury Proceedings	
34	(Ch. 1170, Stats. 1996, et al.) (98-TC-	
35	27).....	1,000
36	(40) 98.01.074.398-Pupil Promotion and	
37	Retention (Ch. 100, Stats. 1981, et al.)	
38	(98-TC-19).....	1,000

1	(41) 98.01.033.198-Teacher Incentive Pro-	
2	gram (Ch. 331, Stats. 1998) (99-TC-	
3	15).....	1,000
4	(42) 98.01.030.098-Differential Pay and	
5	Reemployment (Ch. 30, Stats. 1998)	
6	(99-TC-02).....	1,000
7	(43) 99.01.013.599-California High School	
8	Exit Examination (Ch. 135, Stats. 1999)	
9	(00-TC-06).....	1,000
10	Provisions:	
11	1. If the amount appropriated in this item is less than the	
12	amount required to fund eligible claims contained in	
13	this item and in Item 6870-295-0001, the Controller	
14	shall prorate payments proportionately between these	
15	items.	
16	2. Notwithstanding any other provision of law, the funds	
17	allocated for PERS Death Benefits (Ch. 799, Stats.	
18	1980) and PERS Unused Sick Leave Credit (Ch. 1398,	
19	Stats. 1974) are for transfer to the Public Employees’	
20	Retirement System for reimbursement of costs incurred	
21	pursuant to Chapter 1398 of the Statutes of 1974 or	
22	Chapter 799 of the Statutes of 1980.	
23	3. Pursuant to Section 17581.5 of the Government Code,	
24	mandates included in the language of this provision	
25	are specifically identified by the Legislature for sus-	
26	pension during the 2009–10 fiscal year:	
27	(25) 98.01.083.194-School Bus Safety I and II (Ch.	
28	624, Stats. 1992; Ch. 831, Stats. 1994; Ch. 739,	
29	Stats. 1997) (97-TC-22).	
30	(32) 98.01.012.693-Law Enforcement Sexual Harass-	
31	ment Training (Ch. 126, Stats. 1993) (97-TC-07).	
32	(33) 98.01.078.495-County Treasury Withdrawals	
33	(Ch. 784, Stats. 1995) (96-365-03).	
34	(39) 98.01.117.096-Grand Jury Proceedings (Ch.	
35	1170, Stats. 1996, et al.) (98-TC-27).	

37 *SEC. 460. Item 6110-488 is added to Section 2.00 of the Budget*
 38 *Act of 2009, to read:*

6110-488—Reappropriation (Proposition 98), Department of Education. Notwithstanding any other provision of law, the balances from the following items are available for reappropriation for the purposes specified in Provisions 1 and 2 of this item:

0001—General Fund

(0.5) \$6,000,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for juvenile education in Item 5225-011-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(0.7) \$10,000,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for juvenile education in Item 5225-011-0001 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) \$282,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) \$143,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

(3) \$2,546,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(4) \$32,017,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for CalWORKs Stage 2 and Stage 3 child care programs in Schedules (1.5)(e) and (1.5)(f) of Item 6110-196-0001 of the Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(5) \$2,911,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs

1 *in Schedules (1) and (1.5) of Item 6110-196-0001 of*
2 *the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
3 (6) *\$27,636,000 or whatever greater or lesser amount*
4 *reflects the unexpended balance of the amount appro-*
5 *priated for CalWORKs Stage 2 and Stage 3 child care*
6 *programs in Schedules (1.5)(e) and (1.5)(f) of Item*
7 *6110-196-0001 of the Budget Act of 2008 (Chs. 268*
8 *and 269, Stats. 2008).*

9 (7) *\$18,400,000 or whatever greater or lesser amount*
10 *reflects the unexpended balance of the amount appro-*
11 *priated for the Charter School Facility Grant Program*
12 *in Item 6110-220-0001 of the Budget Act of 2009 (Ch.*
13 *1, 2009–10 3rd Ex. Sess.)*

14 *Provisions:*

- 15 1. *The sum of \$65,535,000 is hereby reappropriated to*
16 *the State Department of Education for transfer by the*
17 *Controller to Section A of the State School Fund for*
18 *allocation by the Superintendent of Public Instruction*
19 *for the purpose of funding State Preschool Programs.*
20 *The amount reappropriated pursuant to this provision*
21 *is for use in the 2009–10 fiscal year.*
22 2. *The sum of \$34,400,000 is hereby reappropriated to*
23 *the State Department of Education for transfer by the*
24 *Controller to Section A of the State School Fund for*
25 *allocation by the Superintendent of Public Instruction*
26 *for the purpose of funding school district revenue*
27 *limit apportionments. The amount reappropriated*
28 *pursuant to this provision is for use in the 2009–10*
29 *fiscal year.*

30
31 *SEC. 461. Item 6110-490 is added to Section 2.00 of the Budget*
32 *Act of 2009, to read:*

33
34 *6110-490—Reappropriation, Department of Education. The*
35 *balances of the appropriations provided in the following*
36 *citations are reappropriated for the purposes and subject*
37 *to the limitations, unless otherwise specified, provided for*
38 *in the appropriations.*
39 *0660—Public Buildings Construction Fund*

- (1) *Item 6110-301-0660, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6110-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
- (1) *80.80.50-Career and Technical Education Complex and Service Yard—Construction and equipment*
- (2) *Item 6110-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*
- (2) *80.80.052-New Gymnasium and Pool Center—Construction and equipment*
- (3) *Item 6110-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*
- (1) *80.80.089-Kitchen and Dining Hall Renovation—Construction*
- (4) *Item 6110-301-0660, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*
- (2) *80.80.50-Career and Technical Education Complex and Service Yard—Construction*
- (5) *Item 6110-301-0660, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
- (3) *80.80.089-Kitchen and Dining Hall Renovation—Construction*

SEC. 462. *Item 6110-492 is added to Section 2.00 of the Budget Act of 2009, to read:*

6110-492—Reappropriation, Department of Education. Notwithstanding any other provision of law, the balance of the appropriation provided in Item 6110-001-3085 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008) is reappropriated and shall be available for encumbrance or expenditure until June 30, 2010, to contract with mental health/educational professionals to support the involvement of local educational agencies in local mental health planning and implementation efforts pursuant to the Mental Health Services Act (Proposition 63, as approved by the voters at the November 2, 2004, statewide general election).

SEC. 463. *Item 6120-490 is added to Section 2.00 of the Budget Act of 2009, to read:*

6120-490—Reappropriation, California State Library. The balance of the appropriation provided in the following citation is reappropriated for the purposes provided in that appropriation and shall be available for encumbrance or expenditure until June 30, 2011:

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 6120-101-6029, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 6120-490, Budget Act of 2004 (Ch. 208, Stats. 2004), and Item 6120-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

SEC. 464. Item 6360-011-0407 is added to Section 2.00 of the Budget Act of 2009, to read:

6360-011-0407—For transfer by the Controller from the Teacher Credentials Fund to the General Fund..... (540,000)
Provisions:

1. Notwithstanding any other provision of law, the Controller shall transfer \$540,000 from the Teacher Credentials Fund to the General Fund to reflect recovery of 20 percent of the General Fund transfer provided in the 2005–06 fiscal year.

SEC. 465. Item 6360-011-0408 is added to Section 2.00 of the Budget Act of 2009, to read:

6360-011-0408—For transfer by the Controller from the Test Development and Administration Account, Teacher Credentials Fund to the General Fund..... (2,160,000)
Provisions:

1. Notwithstanding any other provision of law, the Controller shall transfer \$2,160,000 from the Test Development and Administration Account, Teacher Credentials Fund to the General Fund to reflect recovery of 80 percent of the General Fund transfer provided in the 2005–06 fiscal year.

SEC. 466. Item 6440-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6440-001-0001—For support of University of California..... ~~2,641,355,000~~
2,374,705,000

Schedule:

(1) Support.....	2,557,859,000
	3,157,859,000
(2) Charles R. Drew Medical Program.....	8,738,000
(3) Acquired Immune Deficiency Syndrome	
(AIDS) Research.....	9,214,000
(4) Student Financial Aid.....	52,199,000
(5) Loan Repayments.....	5,105,000
(6) San Diego Supercomputer Center.....	3,240,000
(7) Subject Matter Projects.....	5,000,000
(7.5) Unallocated Reduction.....	–266,650,000
(8) Reimbursements —American Recovery and Reinvestment Act of 2009	
(Public Law 111-5).....	–600,000,000

Provisions:

1. The appropriations made in this item are exempt from Section 31.00.
2. None of the funds appropriated in this item may be expended to initiate major capital outlay projects by contract without prior legislative approval, except for cogeneration and energy conservation projects. Funds appropriated in this item may be used for capital expenditures as well as payment of debt service for such exempted capital projects. Exempted projects shall be reported in a manner consistent with the reporting procedures in subdivision (e) of Section 28.00.

Funds appropriated in this item may be used for capital expenditures as well as payment of debt service associated with the Energy Partnership Program, whereby the University of California will receive financial incentives from state investor-owned utilities to undertake energy conservation projects. The use of state operations funding for these energy savings projects may not infringe on the university's funding for its instructional support activities. The Director of Fi-

1 nance may authorize program expenditures for the list
2 of planned projects not sooner than 30 days after noti-
3 fication in writing is provided to the chairpersons of
4 the committees in each house of the Legislature that
5 consider appropriations, the chairpersons of the com-
6 mittees and the appropriate subcommittees in each
7 house of the Legislature that consider the State Budget,
8 and the Chairperson of the Joint Legislative Budget
9 Committee. The list of planned projects submitted for
10 approval for a given funding cycle should be ~~all-inclu-~~
11 ~~sive~~ *all inclusive* and may include projects that even-
12 tually may not be initiated during that funding cycle.
13 A project not included on the list of planned projects
14 for that funding cycle, but with which the university
15 wishes to proceed during the budget year, may be
16 treated as an exempted project as described above and
17 reported in a manner consistent with the reporting
18 procedures in subdivision (e) of Section 28.00. No
19 later than November 15 of each year, the university
20 shall prepare a report describing the identified projects
21 funded under the Energy Partnership Program in the
22 prior year. The report shall include the cost of each
23 project, how the cost is being funded, including the
24 amount funded from support budget funds and in-
25 vestor-owned utility incentive awards, and the project-
26 ed amount of energy savings. These reports will sunset
27 at the end of the program.

- 28 3. The funds appropriated in Schedule (2) are for support
29 of University of California programs of clinical health
30 sciences education, research, and public service, con-
31 ducted in conjunction with the Charles R. Drew Uni-
32 versity of Medicine and Science, as provided for in
33 Sections 1, 2, and 3 of Chapter 1140 of the Statutes
34 of 1973. Of the funds appropriated, \$500,000 is con-
35 tingent upon the provision by the University of Cali-
36 fornia of an equal amount of matching funds from its
37 own resources. The University of California shall en-
38 sure by adequate controls that funds appropriated in
39 Schedule (2) are expended solely for the support of
40 the program identified in that schedule.

- 1 4. The funds appropriated in Schedule (4) are for support
2 of Program 45, Student Financial Aid, to provide fi-
3 nancial aid to needy students attending the University
4 of California, according to the nationally accepted
5 needs analysis methodology.
- 6 5. Of the funds appropriated in Schedule (1), \$2,762,129
7 is for payment of energy service contracts in connec-
8 tion with the issuance of State Public Works Board
9 Energy Efficiency Revenue Bonds.
- 10 6. Of the funds appropriated in Schedule (5), \$2,700,000
11 is for repayment of \$25,000,000 borrowed by the
12 University of California for deferred maintenance in
13 the 1994–95 fiscal year. It is the intent of the Legisla-
14 ture to annually provide funds for that repayment
15 purpose through the 2009–10 fiscal year.
- 16 7. Of the funds appropriated in Schedule (5), \$2,405,000
17 is for repayment of \$25,000,000 borrowed by the
18 University of California for deferred maintenance in
19 the 1995–96 fiscal year. It is the intent of the Legisla-
20 ture to annually provide funds for that repayment
21 purpose through the 2010–11 fiscal year.
- 22 8. Of the funds appropriated in Schedule (1), \$1,897,200
23 is for the California State Summer School for Mathe-
24 matics and Science (COSMOS). The University of
25 California shall report on the outcomes and effective-
26 ness of COSMOS every five years, commencing April
27 1, 2011.
- 28 9. Of the funds appropriated in Schedule (1), \$1,125,000
29 is provided to continue support for science and math
30 resource centers to implement the Science and Math
31 Teacher Initiative. The University of California (UC)
32 shall report to the Legislature and the Governor by
33 February 1 of each year on its progress toward increas-
34 ing the quality and supply of science and mathematics
35 teachers resulting from implementation of the Science
36 and Math Teacher Initiative. This report shall include
37 the following information: (a) annual number of
38 mathematics and science teachers awarded credentials
39 (by each UC campus) beginning with the 2004–05
40 academic year (before the state first provided funding

- for the initiative), (b) an expenditure plan on the use of the funds appropriated in this item, (c) the effectiveness of the initiative's different components and activities, including an identification of best practices, and (d) the job placement of students who earn a mathematics or science teaching credential, including the location of the K–12 school of employment and whether it is in an urban, rural, or suburban setting.
10. ~~The Legislature expects the University of California to enroll a total of 198,520 state-supported full-time equivalent students (FTES) during the 2009–10 academic year, inclusive of the enrollments specified in Provisions 11 and 12. This enrollment target does not include nonresident students and students enrolled in non-state-supported summer programs. The University of California shall report to the Legislature by March 15, 2010, on whether it has met the its 2009–10 academic year enrollment goal goals.~~
11. Of the funds appropriated in Schedule (1), \$2,025,000 is to support 135 full-time equivalent students in the Program in Medical Education (PRIME) at the Irvine, Davis, San Diego, San Francisco, and Los Angeles campuses. The primary purpose of this program is to train physicians specifically to serve in underrepresented communities. The University of California shall report to the Legislature by March 15, 2010, on (a) its progress in implementing the PRIME program and (b) the use of the total funds provided for this program from both state and nonstate resources.
12. (a) The amount in Schedule (1) includes \$1,720,000 to continue increased enrollments in nursing programs beyond the levels served in 2005–06 as follows:
- (1) \$1,617,000 for full cost of a minimum of 122 full-time equivalent students in entry-level clinical nursing programs and entry-level master's degree programs in nursing.
 - (2) \$103,000 for supplemental marginal cost funding for 20 master's degree level nursing students.

(b) ~~The university~~ *University of California* shall report to the Legislature and the Governor by May 1, 2010, on the total enrollment in the 2009–10 academic year in the baccalaureate nursing degree programs, the entry-level clinical and master’s degree nursing programs, and the master’s of science nursing degree programs.

13. It is the intent of the Legislature that the University of California submit an annual report by March 1 of each year through the 2010–11 fiscal year to the Joint Legislative Budget Committee, legislative fiscal subcommittees, and the Department of Finance on the university’s progress in reforming its compensation policies and practices, reflecting the criteria specified in Provision 27 of Item 6440-001-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).

14. Of the funds appropriated in Schedule (1), \$19,300,000 is for student academic preparation and education programs (SAPEP) and is to be matched with \$12,000,000 from existing university resources, for a total of \$31,300,000 for these programs. The University of California shall provide a plan to the Department of Finance and the fiscal committees of each house of the Legislature for expenditure of both state and university funds for SAPEP by September 1 of each year.

16. To the extent funds are available in Schedule (1), and contingent upon the receipt of an equal amount of private sector matching funds, the University of California shall allocate funds for the California Institute for Quantitative Biosciences for the purpose of enhancing innovative, cost-effective technologies and therapies in health care.

17. It is the intent of the Legislature that to the greatest extent possible the University of California limit any reductions to student support services and that the university examine the possibility of increases to the student-faculty ratio and phase out support of excess course units.

18. On or before April 1, 2009, the Director of Finance and the Treasurer shall determine whether the provisions of Section 99030 of the Government Code have been met.
19. *On or before January 10, 2010, the University of California shall provide a report to the Legislature and the Governor that describes the implementation of the unallocated reductions in the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008) and in the Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess.). The report shall include, but not be limited to, information about changes in enrollment and in personnel costs, including compensation increases and decreases; receipt of funds related to the American Recovery and Reinvestment Act of 2009; new fee revenues; and other general purpose funding sources.*
20. *Notwithstanding Provision 14, if the budget reductions contained in this item require the University of California to make budget reductions to the Student Academic Preparation and Education Programs (SAPEP), those reductions shall be no greater, proportionally, than the reduction in overall General Fund support. The university shall submit a report on the reductions made to SAPEP to the fiscal committees of each house of the Legislature no later than April 1, 2010.*
21. *Of the funds appropriated in Schedule (1), \$150,000 in one-time funds shall be used for the Institute of Governmental Studies of the University of California at Berkeley.*

SEC. 467. *Item 6440-001-0234 of Section 2.00 of the Budget Act of 2009 is amended to read:*

6440-001-0234—For support of the University of California, payable from the Research Account, Cigarette and Tobacco Products Surtax Fund.....	14,515,000
	13,090,000
Provisions:	
1. The funds appropriated in this item are to be allocated for research regarding tobacco use, with an emphasis	

on youth and young adults, including, but not limited to, the effects of active and passive smoking, the primary prevention of tobacco use, nicotine addiction and its treatment, the effects of secondhand smoke, and public health issues surrounding tobacco use.

2. Notwithstanding subdivision (a) of Section 1.80, the funds appropriated in this item are available for expenditure until June 30, 2012.

SEC. 468. Item 6440-402 is added to Section 2.00 of the Budget Act of 2009, to read:

6440-402—University of California, Santa Barbara and San Diego Campuses.

Provisions:

1. (a) *The Santa Barbara Campus-Bioengineering Building is authorized pursuant to Section 15820.21 of the Government Code.*
- (b) *The San Diego Campus-Marine Ecosystem Sensing, Observation, and Modeling Laboratory is authorized pursuant to Section 15821.21 of the Government Code.*

SEC. 469. Item 6440-491 is added to Section 2.00 of the Budget Act of 2009, to read:

6440-491—Reappropriation, University of California. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations in those appropriations, unless otherwise specified:

0660—Public Buildings Construction Fund

- (1) *Item 6440-301-0660, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*

Berkeley Campus:

- (2) *99.01.260-Helios Energy Research Facility—Preliminary plans, working drawings, construction, and equipment*

6048—2006 University Capital Outlay Bond Fund

- 1 (1) *Item 6440-301-6048, Budget Act of 2006 (Chs. 47 and*
- 2 *48, Stats. 2006), as reappropriated by Item 6440-491,*
- 3 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
- 4 *Irvine Campus:*
- 5 (2.5) *99.09.360-Primary Electrical Improvements Step*
- 6 *3-Working drawings and construction*
- 7 *Santa Cruz Campus:*
- 8 (18) *99.07.185-Infrastructure Improvements Phase*
- 9 *2—Working drawings*
- 10 (2) *Item 6440-301-6048, Budget Act of 2007 (Chs. 171*
- 11 *and 172, Stats. 2007), as reappropriated by Item 6440-*
- 12 *491, Budget Act of 2008 (Chs. 268 and 269, Stats.*
- 13 *2008)*
- 14 *Davis Campus:*
- 15 (3) *99.03.360-Electrical Improvements Phase*
- 16 *4—Construction*
- 17 *Merced Campus:*
- 18 (5) *99.11.045-Social Sciences and Management*
- 19 *Building—Construction*
- 20 *Riverside Campus:*
- 21 (8) *99.05.220-Boyce and Webber Hall Renova-*
- 22 *tions—Construction*
- 23 *Santa Barbara Campus:*
- 24 (13) *99.08.145-Davidson Library Addition and Renew-*
- 25 *al—Working drawings*
- 26 (2.5) *Item 6440-302-6048, Budget Act of 2006 (Chs. 47*
- 27 *and 48, Stats. 2006)*
- 28 *San Diego Campus:*
- 29 (8) *Structural and Materials Engineering Build-*
- 30 *ing—Construction*
- 31 (3) *Item 6440-302-6048, Budget Act of 2007 (Chs. 171*
- 32 *and 172, Stats. 2007)*
- 33 *Berkeley Campus:*
- 34 (1) *99.01.250-Birge Hall Infrastructure Improve-*
- 35 *ments—Construction*
- 36 *Riverside Campus:*
- 37 (5) *99.05.225-East Campus Infrastructure Improve-*
- 38 *ments Phase 2—Working drawings and construc-*
- 39 *tion*
- 40 *Agriculture and Natural Resources:*

(6) 99.10.065-Hopland Research and Extension
Center Field Laboratory and Multipurpose Facility—Construction

(4) Item 6440-304-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 6440-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Davis Campus:

(1.5) 99.03.365-Telemedicine Resource Center and Rural PRIME Facility—Construction and equipment

(5) Item 6440-305-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Irvine Campus:

(1) 99.09.380-Telemedicine/PRIME Health Equity Education Facility—Construction and equipment

San Diego Campus:

(2) 99.06.395-Telemedicine/PRIME Health Equity Education Facility—Construction and equipment

(6) Item 6440-304-6048, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

San Francisco Campus:

(1) 99.02.155-Telemedicine and PRIME Urban Underserved Education Facilities—Construction

SEC. 470. Item 6440-492 is added to Section 2.00 of the Budget Act of 2009, to read:

6440-492—Reappropriation, University of California. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations is extended to June 30, 2011:

6041—2004 Higher Education Capital Outlay Bond Fund
(1) Item 6440-301-6041, Budget Act of 2004 (Ch. 308, Stats. 2004), as reappropriated by Item 6440-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

Davis Campus:

(3) 99.03.310-Seismic Corrections, Phase 4—Construction

Merced Campus:

- 1 (23) 99.11.035-Logistical Support Service Facili-
 2 ties—Construction and equipment
 3 (2) Item 6440-301-6041, Budget Act of 2005 (Chs. 38 and
 4 39, Stats. 2005), as reappropriated by Item 6440-491,
 5 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)
 6 Irvine Campus:
 7 (3) 99.09.340-Computer Science Unit 3—Equipment
 8 Riverside Campus:
 9 (5) 99.05.200- Environmental Health and Safety Ex-
 10 pansion—Preliminary plans
 11 San Diego Campus:
 12 (9) 99.06.355-Mayer Hall Addition and Renova-
 13 tion—Equipment
 14 (10) 99.06.370-Music Building—Construction
 15 Santa Cruz Campus:
 16 (13) 99.07.130-Humanities and Social Services Faci-
 17 lities—Equipment
 18 (14) 99.07.165-McHenry Project—Construction
 19 (3) Item 6440-302-6041, Budget Act of 2005 (Chs. 38 and
 20 39, Stats. 2005), as reappropriated by Item 6440-491,
 21 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)
 22 Davis Campus:
 23 (1) 99.03.315-Electrical Improvements, Phase
 24 3—Construction
 25 (3) 99.03.345-Steam Expansion Phase I—Construc-
 26 tion
 27 Irvine Campus:
 28 (4) 99.09.350-Engineering Unit 3—Construction
 29 Riverside Campus:
 30 (6) 99.05.190-Materials and Science Engineering
 31 Building—Construction
 32 Division of Agriculture and Natural Resources:
 33 (7) 99.10.055-Lindcove Research and Extension
 34 Center Laboratory Facility—Construction
 35 6048—2006 University Capital Outlay Bond Fund
 36 (1) Item 6440-301-6048, Budget Act of 2006 (Chs. 47 and
 37 48, Stats. 2006), as reappropriated by Item 6440-491,
 38 Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
 39 Davis Campus:

- (1.3) 99.03.355-King Hall Renovation and Expansion—Working drawings
- Riverside Campus:
- (5) 99.05.210-Culver Center for the Arts—Construction
- San Diego Campus:
- (8) 99.06.385-Chilled Water and Electrical Distribution Improvements—Working drawings
- Santa Barbara Campus:
- (11) 99.08.135-Arts Building Seismic Correction and Renewal—Working drawings
- (12) 99.08.145- Davidson Library Addition and Renewal—Preliminary plans
- (13) 99.08.150-Phelps Hall Renovation—Preliminary plans and working drawings
- Santa Cruz Campus:
- (17) 99.07.180-Infrastructure Improvements, Phase 1—Working drawings
- (18) 99.07.185-Infrastructure Improvements, Phase 2—Preliminary plans
- (19) 99.07.190-Biomedical Sciences Facility—Working drawings
- (2) Item 6440-301-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
- Davis Campus:
- (2) 99.03.350-Veterinary Medicine 3B—Working drawings
- (3) Item 6440-304-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
- San Francisco Campus:
- (3) 99.02.155-Telemedicine and PRIME Urban Underserved Education Facilities—Working drawings

SEC. 471. Item 6440-493 is added to Section 2.00 of the Budget Act of 2009, to read:

6440-493—*Reappropriation, University of California. The balance of the appropriation provided for in the following citation is reappropriated for the purpose and subject to the limitations in that appropriation, including Provision 8, unless otherwise specified:*

6048—2006 University Capital Outlay Bond Fund

(1) Item 6440-305-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Charles R. Drew University of Medicine and Science:

(3) 99.12.005-Life Sciences Research and Nursing Education Building—Preliminary plans, working drawings, and construction

SEC. 472. Item 6440-495 of Section 2.00 of the Budget Act of 2009 is amended to read:

6440-495—Reversion, University of California. As of June 30, 2009, the balances specified below of the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriations were made:

0001—General Fund

(1) \$33,051,000 or whatever greater or lesser amount reflects the remaining unexpended balance of the amount, after Provision 1, appropriated in Schedule (1) of Item 6440-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008):

(2) \$715,500,000 appropriated in Schedule (1) of Item 6440-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

SEC. 473. Item 6600-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6600-001-0001—For support of Hastings College of the Law....	10,300,000
	9,270,000

Provisions:

1. The appropriation made in this item is exempt from Section 31.00.

SEC. 474. Item 6610-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6610-001-0001—For support of California State University..... ~~2,538,502,000~~
2,272,402,000

Schedule:

(1) Support..... ~~2,538,502,000~~
3,138,502,000

(1.5) Unallocated reduction..... -266,100,000

(2) Reimbursements—ARRA..... -600,000,000

Provisions:

1. The appropriations made in this item are exempt from Section 31.00, except as otherwise provided by the applicable sections of the Government Code referred to in Section 31.00.
2. Of the amount appropriated in this item, \$350,000 is for transfer to the Affordable Student Housing Revolving Fund for the purpose of subsidizing interest costs in connection with bond financing for construction of affordable student housing at the Fullerton and Hayward campuses in accordance with Article 3 (commencing with Section 90085) of Chapter 8 of Part 55 of Division 8 of Title 3 of the Education Code.
3. Of the amount appropriated in this item, \$1,878,000 is for repayment of the \$17,000,000 financed for the California State University through a third party for deferred maintenance projects in the 1994–95 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose until June 30, 2010.
4. Of the amount appropriated in this item, \$2,309,000 is for repayment of the \$24,000,000 financed for the California State University through a third party for deferred maintenance projects in the 1995–96 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose until June 30, 2011.
5. Of the funds appropriated in Schedule (1), \$2,713,000 is provided to continue support for enhancing the ca-

1 capacity of science and math teacher credential programs
2 to implement the Science and Math Teacher Initiative.
3 The California State University (CSU) shall report to
4 the Legislature and the Governor by May 1 of each
5 year on its progress toward increasing the quality and
6 supply of science and mathematics teachers resulting
7 from implementation of the Science and Math Teacher
8 Initiative. This report shall include the following infor-
9 mation: (a) annual number of mathematics and science
10 teachers awarded credentials (by each CSU campus)
11 beginning with the 2004–05 academic year (before
12 the state first provided funding for the initiative), (b)
13 an expenditure plan on the use of the funds appropri-
14 ated in this item, (c) the effectiveness of the initiative’s
15 different components and activities, including an
16 identification of best practices, and (d) the job place-
17 ment of students who earn a math or science teaching
18 credential, including the location of the K–12 school
19 of employment and whether it is in an urban, rural, or
20 suburban setting.

21 6. ~~The Legislature expects the California State University~~
22 ~~to enroll a total of 342,893 state-supported full-time~~
23 ~~equivalent students (FTES) during the 2009–10 aca-~~
24 ~~demie year, inclusive of the enrollments specified in~~
25 ~~Provision 7. This enrollment target does not include~~
26 ~~nonresident students and students enrolled in non-state-~~
27 ~~supported summer programs. The California State~~
28 ~~University shall provide a preliminary report to the~~
29 ~~Legislature by March 15, 2010, and a final report by~~
30 ~~May 1, 2010, on whether it has met the its 2009–10~~
31 ~~academic year enrollment goal.~~

32 7. The amount in Schedule (1) includes \$6,251,000 for
33 the following purposes:

34 (a) \$6,251,000 to continue increased enrollments in
35 nursing programs beyond the levels served in
36 2005–06 as follows:

37 (1) \$560,000 for supplemental marginal cost
38 funding for 280 FTES in entry-level master’s
39 degree nursing programs pursuant to Article
40 8 (commencing with Section 89270) of

- 1 Chapter 2 of Part 55 of *Division 8 of Title 3*
2 of the Education Code.
- 3 (2) \$1,720,000 for full cost of a minimum of 163
4 FTES in entry level master's degree nursing
5 programs.
- 6 (3) \$371,000 for full cost of 35 FTES in baccalau-
7 reate degree nursing programs.
- 8 (4) \$3,600,000 for full cost of 340 FTES in bac-
9 calaureate degree nursing programs.
- 10 (c) The California State University shall report to the
11 Legislature and the Governor by May 1, 2010, on
12 the total enrollment in the 2009–10 academic year
13 in the baccalaureate nursing degree and entry-
14 level master's nursing degree programs.
- 15 8. Of the amount appropriated in this item, \$33,785,000
16 is provided for student financial aid grants. These fi-
17 nancial aid funds shall be provided to needy students
18 according to the nationally accepted needs analysis
19 methodology.
- 20 9. Of the amount appropriated in Schedule (1),
21 \$52,000,000 is appropriated for student academic
22 preparation and student support services programs.
23 The California State University shall provide
24 \$45,000,000 to support the Early Academic Assess-
25 ment Program and the Educational Opportunity Pro-
26 gram.
- 27 10. It is the intent of the Legislature that to the greatest
28 extent possible the California State University limit
29 any reductions to student support services and that the
30 university examine the possibility of increases to the
31 student-faculty ratio and phase out support of excess
32 course units.
- 33 11. On or before April 1, 2009, the Director of Finance
34 and the Treasurer shall determine whether the provi-
35 sions of Section 99030 of the Government Code have
36 been met.
- 37 12. *On or before January 10, 2010, the California State*
38 *University shall provide a report to the Legislature*
39 *and the Governor that describes the implementation*
40 *of the unallocated reductions in the Budget Act of 2008*

(Chs. 268 and 269, Stats. 2008) and the Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess.) The report shall include, but not be limited to, information about changes in enrollment, changes in personnel costs including compensation increases and decreases, and receipt of funds related to the American Recovery and Reinvestment Act, new fee revenues, and other general purpose funding sources.

13. Notwithstanding Provision 9, if the budget reductions contained in this item necessitate the California State University to make budget reductions to its student academic preparation and outreach programs, those reductions shall be no greater, proportionally, than the reduction in overall General Fund support. The university shall submit a report on reductions made to these programs to the fiscal committees of each house of the Legislature no later than April 1, 2010.

SEC. 475. Item 6610-490 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-490—Reappropriation, California State University. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2010:

0785—1988 Higher Education Capital Outlay Bond Fund
(1) Item 6610-002-0785, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

6041—2004 Higher Education Capital Outlay Bond Fund
(1) Item 6610-002-6041, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

SEC. 476. Item 6610-491 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-491—Reappropriation, California State University.
Notwithstanding any other provision of law, the balances
of the appropriations provided in the following citations
are reappropriated for the purposes and subject to the
limitations, unless otherwise specified, in those appropri-
ations:

0660—Public Buildings Construction Fund

(1) Item 6610-301-0660, Budget Act of 2008 (Chs. 268
and 269, Stats. 2008)

Bakersfield Campus:

(1) 06.50.066-Art Center and Satellite Plant—Work-
ing drawings and construction

Maritime Academy:

(2) 06.51.010-Physical Education Replacement—Pre-
liminary plans, working drawings, and construc-
tion

Monterey Bay Campus:

(3) 06.74.008-Academic Building II—Preliminary
plans, working drawings, and construction

Channel Islands Campus:

(4) 06.83.003-Classroom and Faculty Office Renova-
tion and Addition—Construction

San Luis Obispo Campus:

(5) 06.96.116-Center for Science—Construction

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6610-302-6041, Budget Act of 2004 (Ch. 208,
Stats. 2004), as reappropriated by Item 6440-491,
Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Maritime Academy:

(9) 06.51.009-Simulation Center—Construction

Pomona Campus:

(12) 06.98.108-Science Renovation, Seismic—Con-
struction

San Luis Obispo Campus:

(16) 06.96.115-Engineering and Architecture Renova-
tion and Replacement, Phase II—Construction

(2) Item 6610-302-6041, Budget Act of 2006 (Chs. 47 and
48, Stats. 2006)

Bakersfield Campus:

- 1 (1) 06.50.065-Nursing Renovation—Preliminary
 2 plans, working drawings, and construction
 3 (3) Item 6610-301-6041, Budget Act of 2008 (Chs. 268
 4 and 269, Stats. 2008)
 5 Channel Islands Campus:
 6 (3) 06.83.005-Entrance Road—Construction
 7 (4) Item 6610-302-6041, Budget Act of 2008 (Chs. 268
 8 and 269, Stats. 2008)
 9 San Bernardino Campus:
 10 (1) 06.78.073-Access Compliance Barrier Re-
 11 moval—Preliminary plans, working drawings,
 12 and construction
 13 6048—2006 University Capital Outlay Bond Fund
 14 (1) Item 6610-301-6048, Budget Act of 2006 (Chs. 47 and
 15 48, Stats. 2006), as reverted by Item 6610-496, Budget
 16 Act of 2007 (Chs. 171 and 172, Stats. 2007)
 17 East Bay Campus:
 18 (2) 06.64.082-Student Services Replacement Build-
 19 ing—Construction
 20 Humboldt Campus:
 21 (3) 06.67.087-Behavioral and Social Sciences, Phase
 22 I—Equipment
 23 (2) Item 6610-302-6048, Budget Act of 2006 (Chs. 47 and
 24 48, Stats. 2006)
 25 Maritime Academy:
 26 (1) 06.51.009-Simulation Center—Equipment
 27 San Bernardino Campus:
 28 (4) 06.78.092-Science Building Renovation and Addi-
 29 tion, Phase II—Equipment
 30 (5) 06.78.093-College of Education—Equipment
 31 Stanislaus Campus:
 32 (7) 06.92.064-Science II (Seismic)—Equipment
 33 San Luis Obispo Campus:
 34 (8) 06.96.115-Engineering and Architecture Renova-
 35 tion and Replacement, Phase II—Equipment
 36 (3) Item 6610-301-6048, Budget Act of 2007 (Chs. 171
 37 and 172, Stats. 2007), as reappropriated by Item 6610-
 38 491, Budget Act of 2008 (Chs. 268 and 269, Stats.
 39 2008)
 40 Channel Islands Campus:

- (8) 06.83.005-Entrance Road—Preliminary plans and working drawings
- San Francisco Campus:
- (10) 06.84.105-School of the Arts—Acquisition
- Pomona Campus:
- (14) 06.98.109-College of Business Administration—Working drawings and construction
- (4) Item 6610-302-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
- Systemwide:
- (1) 06.48.300-Nursing Facility Improvements—Preliminary plans, working drawings, construction, and equipment
- Bakersfield Campus:
- (2) 06.50.064-Math and Computer Science Building—Equipment
- (3) 06.50.065-Nursing Renovation—Equipment
- Fullerton Campus:
- (5) 06.62.095-College of Business and Economics—Equipment
- Humboldt Campus:
- (6) 06.67.098-Forbes PE Complex Renovation—Equipment
- San Bernardino Campus:
- (9) 06.78.095-Palm Desert Off-Campus Center, Phase III—Equipment
- Sonoma Campus:
- (10) 06.90.086-Music/Faculty Office Building—Equipment
- Pomona Campus:
- (11) 06.98.108-Science Renovation (Seismic)—Equipment

SEC. 477. Item 6610-492 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-492—Reappropriation, California State University. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations is extended until June 30, 2011:

- 6028—2002 *Higher Education Capital Outlay Bond Fund*
 (1) *Item 6610-301-6028, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 6610-491, Budget Act of 2003 (Ch. 157, Stats. 2003), and Item 6610-493, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
San Diego Campus:
 (8) *06.80.152-Telecommunications Infrastructure—Construction*
- 6041—2004 *Higher Education Capital Outlay Bond Fund*
 (1) *Item 6610-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004)*
Systemwide:
 (1) *06.48.315-Minor Capital Outlay—Preliminary plans, working drawings, and construction*
 (2) *Item 6610-302-6041, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 6610-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 6610-493, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
Northridge Campus:
 (11) *06.82.085-Science 1 Replacement—Construction*
San Bernardino Campus:
 (14) *06.78.093-College of Education Building—Preliminary plans, working drawings, and construction*
 (3) *Item 6610-302-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6610-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*
Fresno Campus:
 (3) *06.56.093-Library Addition and Renovation—Working drawings and construction*
Long Beach Campus:
 (7) *06.71.111-Library Addition and Renovation—Working drawings and construction*
San Luis Obispo:
 (12) *06.96.115-Engineering and Architecture Renovation and Replacement, Phase II—Equipment*
- 6048—2006 *University Capital Outlay Bond Fund*

- (1) *Item 6610-301-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*
Systemwide:
(1) *06.48.315-Minor Capital Outlay—Preliminary plans, working drawings, and construction*
Monterey Bay Campus:
(5) *06.74.007-Infrastructure Improvements—Equipment*
- (2) *Item 6610-301-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*
San Luis Obispo Campus:
(12) *06.96.116-Center for Science—Working drawings*

SEC. 478. Item 6610-494 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-494—Reappropriation, California State University. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citation is extended to June 30, 2011:
6048—2006 University Capital Outlay Bond Fund
(1) *Item 6610-002-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*

SEC. 479. Item 6610-495 of Section 2.00 of the Budget Act of 2009 is amended to read:

6610-495—Reversion, California State University. As of June 30, 2009, the balances specified below of the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriations were made:
0001—General Fund
(1) *\$31,314,000 or whatever greater or lesser amount reflects the remaining unexpended balance of the amount, after Provision 1, appropriated in Schedule (1) of Item 6610-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008):*
(2) *\$715,500,000 appropriated in Schedule (1) of Item 6610-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

SEC. 480. Item 6870-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-001-0001—For support of Board of Governors of the California Community Colleges.....	10,155,000
Schedule:	
(1) 10-Appportionments.....	1,196,000
(2) 20-Special Services and Operations.....	17,390,000
	18,390,000
(3) 30.01-Administration.....	4,453,000
(4) 30.02-Administration—Distributed.....	-4,453,000
(5) Reimbursements.....	-8,431,000
	-9,431,000

Provisions:

1. Funds appropriated in this item may be expended or encumbered to make one or more payments under a personal services contract of a visiting educator pursuant to Section 19050.8 of the Government Code, a long-term special consultant services contract, or an employment contract between an entity that is not a state agency and a person who is under the direct or daily supervision of a state agency, only if all of the following conditions are met:
 - (a) The person providing service under the contract provides full financial disclosure to the Fair Political Practices Commission in accordance with the rules and regulations of the Commission.
 - (b) The service provided under the contract does not result in the displacement of any represented civil service employee.
 - (c) The rate of compensation for salary and health benefits for the person providing service under the contract does not exceed by more than 10 percent the current rate of compensation for salary and health benefits determined by the Department of Personnel Administration for civil service personnel in a comparable position. The payment of any other compensation or any reimbursement for travel or per diem expenses shall be in accor-

dance with the State Administrative Manual and the rules and regulations of the Department of Personnel Administration.

2. The funds appropriated in Schedule (5) reflect \$140,000 to support a position through an interagency agreement with the Department of Corrections and Rehabilitation for the purpose of coordinating and administering funds to districts for department staff training and instruction services.
3. *The funds appropriated in Schedules (2) and (5) reflect an interagency agreement with the California Emergency Management Agency for \$400,000 in reimbursements to conduct emergency planning and preparedness training for community college districts.*
4. *The funds appropriated in Schedules (2) and (5) reflect an interagency agreement with the Employment Development Department for \$600,000 in reimbursements to support economic and workforce development activities such as the Nursing Initiative and other programs related to the federal Workforce Investment Act of 1998 (29 U.S.C. Sec. 2801 et seq.).*

SEC. 481. Item 6870-002-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-002-0890—For support of Board of Governors of the California Community Colleges, Program ~~20.30.090-Math~~ *20.98.001-Math* and Science Teacher Initiative, payable from the Federal Trust Fund..... 40,000

Provisions:

1. The funds appropriated in this item are available to support personnel and operating expenses necessary for the implementation of the Math and Science Teacher Initiative program pursuant to a one time grant from the United States Department of Education pursuant to Public Law 105-277.

SEC. 482. Item 6870-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	6870-101-0001—For local assistance, Board of Governors	
2	of the California Community Colleges (Proposition	
3	98).....	3,810,595,000
4		3,114,494,000
5	Schedule:	
6	(1) 10.10.010-Appportionments.....	2,919,262,000
7		2,673,006,000
8	(2) 10.10.020-Apprenticeship.....	14,641,000
9		9,955,880
10	(3) 10.10.030-Growth for Apportion-	
11	ments.....	175,213,000
12		0
13	(4) 20.10.004-Student Success for Basic	
14	Skills Students.....	33,100,000
15		27,804,000
16	(5) 20.10.005-Student Financial Aid Admin-	
17	istration.....	52,203,000
18		52,884,000
19	(6) 20.10.020-Disabled Students.....	118,461,000
20		96,057,240
21	(7) 20.10.045-Special Services for Cal-	
22	WORKs Recipients.....	43,580,000
23		37,043,000
24	(8) 20.10.060-Foster Care Education Pro-	
25	gram.....	5,254,000
26	(9) 20.10.070-Matriculation.....	104,857,000
27		68,248,760
28	(10) 20.20.020-Academic Senate for the	
29	Community Colleges.....	467,000
30		317,560
31	(11) 20.20.041-Equal Employment Opportu-	
32	nity pursuant to Ch. 1169, Stats.	
33	2002.....	1,747,000
34		1,187,960
35	(12) 20.20.050-Part-time Faculty Health In-	
36	surance.....	1,000,000
37		680,000
38	(13) 20.20.051-Part-time Faculty Compensa-	
39	tion.....	50,828,000
40		34,563,040

1	(14) 20.20.055-Part-time Faculty Office	
2	Hours.....	7,172,000
3		4,876,960
4	(15) 20.30.011-Telecommunications and	
5	Technology Services.....	26,197,000
6		21,217,380
7	(16) 20.30.050-Economic Development....	46,790,000
8		31,817,200
9	(17) 20.30.070-Transfer Education and Ar-	
10	ticulation.....	1,424,000
11		968,320
12	(18) 20.40.026-Physical Plant and Instruc-	
13	tional Support.....	27,345,000
14		0
15	(19) 20.10.010-Extended Opportunity Pro-	
16	grams and Services and Special Ser-	
17	vices.....	125,960,000
18		102,137,400
19	(20) 20.30.045-Fund for Student Success....	6,158,000
20		5,262,820
21	(21) 20.70.010-Career Technical Educa-	
22	tion.....	20,000,000
23		48,000,000
24	(22) 20.80.010-Campus— Childcare Child	
25	Care Tax Bailout.....	6,836,000
26		4,648,480
27	(23) 20.95.010-Nursing Program Support....	22,100,000
28		18,564,000
29	(24) 97.20.001-Unallocated Reduction....	-130,000,000
30	(25) 97.20.005-Unallocated.....	130,000,000
31	(26) Reimbursements.....	-130,000,000
32	Provisions:	
33	1. The funds appropriated in this item are for transfer by	
34	the Controller during the 2009–10 fiscal year to Sec-	
35	tion B of the State School Fund.	
36	2. Notwithstanding any other provision of law, apportion-	
37	ment funding for community college districts shall be	
38	based on the greater of the current year or prior year	
39	level of full-time equivalent students (FTES), consis-	
40	tent with K–12 declining enrollment practices pursuant	

to Section 42238.5 of the Education Code. Decreases in FTES shall result in a revenue reduction at the district's average level of apportionment funding per FTES and shall be made in the year following the initial year of decrease in FTES.

3. The funds appropriated in Schedule (1) for Apportionments include \$31,409,000 to encourage district-level accountability efforts pursuant to Section 84754.5 of the Education Code. It is intended that the Chancellor of the California Community Colleges submit an annual report on district-specific accountability measures by March 19 of each year. This report shall reflect outcomes from the most recently completed fiscal year for which data is available pursuant to Section 84754.5 of the Education Code.

4. Of the funds appropriated in Schedule (1), Apportionments:

- (a) Up to \$100,000 is for a maintenance allowance, pursuant to Section 54200 of Title 5 of the California Code of Regulations.

- (b) Up to \$500,000 is to reimburse colleges for the costs of federal aid repayments related to assessed fees for fee waiver recipients. This reimbursement only applies to students who completely withdraw from college before the census date pursuant to Section 58508 of Title 5 of the California Code of Regulations.

5. ~~Of the amount appropriated in Schedule (1), \$10,000,000 shall only be available for noncredit instruction to prepare pupils to pass the California High School Exit Examination (CAHSEE). The first priority shall be to serve high school pupils from the classes of 2007 and 2008 who met all other graduation requirements except for passage of the CAHSEE. Remaining funds may be used to support other necessary noncredit courses for other pupils who not only did not pass the CAHSEE, but who did not complete other coursework necessary to meet high school graduation requirements. These funds are intended to supplement but not supplant existing funding for these purposes.~~

- 1 6. Notwithstanding any other provision of law, the
2 Chancellor of the California Community Colleges
3 shall not reduce district workload obligations for a
4 lack of a funded cost-of-living adjustment.
- 5 7. (a) ~~Of the~~ The amount appropriated in Schedule (2)
6 for the Apprenticeship Program, ~~up to~~
7 \$14,641,000 shall be available as necessary upon
8 certification by the Chancellor of the California
9 Community Colleges for the purpose of funding
10 community college-related and supplemental in-
11 struction pursuant to Section 3074 of the Labor
12 Code, as provided in Section 8152 of the Educa-
13 tion Code. No community college district shall
14 use funds available under this provision to offer
15 any new apprenticeship training program or the
16 expansion of any existing program unless the new
17 program or expansion has been approved by the
18 chancellor.
- 19 (b) Notwithstanding Section 8152 of the Education
20 Code, each 60-minute hour of teaching time de-
21 voted to each indentured apprentice enrolled in
22 and attending classes of related and supplemental
23 instruction as provided under Section 3074 of the
24 Labor Code shall be reimbursed at the rate of
25 \$5.06 per hour. For purposes of this provision,
26 each hour of teaching time may include up to 10
27 minutes for passing time and breaks.
- 28 8. Funds appropriated in Schedule (3), Growth for Ap-
29 portionments, shall be available first to any districts
30 bringing online in the current fiscal year newly accred-
31 ited colleges or California Postsecondary Education
32 Commission-approved educational centers. It is the
33 intent of the Legislature that increases in basic founda-
34 tion allocations to each college be funded prior to ad-
35 ditional growth in full-time equivalent students. The
36 Chancellor of the California Community Colleges
37 shall provide a report by November 1 of each year, to
38 the Department of Finance and the Legislative Analyst,
39 on the number of new centers and colleges added for
40 the current fiscal year and those anticipated to be added

1 for the prospective budget year. This report shall also
2 detail the specific funding adjustments provided for
3 basic foundation allocations to each college and center
4 for the current fiscal year.

- 5 9. Notwithstanding any other provision of law, funds
6 appropriated in Schedule (3) for Growth for Apportion-
7 ments shall only be allocated for growth in full-time
8 equivalent students (FTES), on a district-by-district
9 basis, as determined by the Chancellor of the Califor-
10 nia Community Colleges. The chancellor shall not in-
11 clude any FTES from concurrent enrollment in physi-
12 cal education, dance, recreation, study skills, and per-
13 sonal development courses and other courses in con-
14 flict with existing law for the purpose of calculating
15 a district's three-year overcap adjustment. The Board
16 of Governors of the California Community Colleges
17 shall implement the criteria required by subdivision
18 (a) of Provision 5 of Item 6870-101-0001 of the Bud-
19 get Act of 2003 (Ch. 157, Stats. 2003) for the alloca-
20 tion of funds appropriated in Schedules (1) and (3),
21 so as to ensure that courses related to student needs
22 for transfer, basic skills, and vocational/workforce
23 training are accorded the highest priority and are pro-
24 vided to the maximum extent possible within budgeted
25 funds.

- 26 10. The funds appropriated in Schedule (4), Student Suc-
27 cess for Basic Skills Students, shall be allocated as
28 follows:

- 29 (a) ~~\$1,600,000~~ \$1,344,000 for faculty and staff devel-
30 opment to improve curriculum, instruction, stu-
31 dent services, and program practices in the areas
32 of basic skills and English as a Second Language
33 (ESL) programs. The Office of the Chancellor of
34 the California Community Colleges shall select
35 a district, utilizing a competitive process, to carry
36 out these faculty and staff development activities.
37 All colleges receiving funds pursuant to subdivi-
38 sion (b) shall be provided with the opportunity to
39 participate in the faculty and staff development
40 programs specified in this subdivision. The

- chancellor shall report on the use of these funds by the selected district to the Legislative Analyst and the Department of Finance not later than September 1, 2010.
- (b) ~~\$31,500,000~~ *\$26,460,000* for allocation by the chancellor to community college districts for improving outcomes of students who enter college needing at least one course in ESL or basic skills, with particular emphasis on students transitioning from high school.
 - (c) Funding specified in subdivisions (a) and (b) shall be distributed to eligible applicants pursuant to Chapter 489 of the Statutes of 2007.
 - (d) The Office of the Chancellor shall work jointly with the Department of Finance and the Legislative Analyst to ~~develop~~ *evaluate and refine, as necessary,* the annual accountability measures for this program. It is the intent of the Legislature that annual performance accountability measures for this program utilize, to the extent possible, data available as part of the accountability system developed pursuant to Section 84754.5 of the Education Code. ~~By November 1, 2010; September 1, 2009,~~ the chancellor shall submit ~~a report~~ *the first in a series of reports* to the Governor and Legislature on ~~the annual accountability measures developed pursuant to this process~~ *basic skills accountability using system and college level data.*
11. (a) Of the funds appropriated in Schedule (5) for Student Financial Aid Administration, not less than ~~\$10,561,000~~ *\$11,034,000* is available to provide \$0.91 per unit reimbursement to community college districts for the provision of board of governors (BOG) fee waiver awards pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.
- (b) Of the funds appropriated in Schedule (5), not less than ~~\$4,642,000~~ *\$4,850,000* is available to provide reimbursement of 2 percent of total waiver value to community college districts for

1 the provision of BOG fee waiver awards pursuant
2 to paragraph (2) of subdivision (m) of Section
3 76300 of the Education Code.

- 4 (c) Funding provided to community college districts
5 in subdivisions (a) and (b) ~~of this provision~~ is
6 provided to directly offset any mandated costs
7 claimed by community college districts pursuant
8 to Commission on State Mandates Test Claims
9 99-TC-13 (Enrollment Fee Collection) and 00-
10 TC-15 (Enrollment Fee Waivers).

- 11 (d) (1) Of the amount appropriated in Schedule (5),
12 \$2,800,000 shall be for a contract with a
13 community college district to conduct a
14 statewide media campaign to promote the
15 general message to prospective students as
16 follows: (A) the California Community Col-
17 leges (CCC) remain affordable, (B) financial
18 aid and tax credits are available to cover en-
19 rollment fees and help with books and other
20 costs, and (C) the active encouragement of
21 contact between pupils and local CCC finan-
22 cial aid offices. Any funds used from this
23 source to produce radio, television, or mail
24 campaigns must emphasize the availability
25 of financial aid, the easiest and most reliable
26 method of accessing the aid, a contact tele-
27 phone number, an Internet Web site address,
28 where applicable, and the physical location
29 of a financial aid office. Any mail campaign
30 must give priority to existing pupils, recent
31 high school graduates, and 12th graders. The
32 outreach and information campaign should
33 target its efforts in high schools, welfare of-
34 fices, unemployment offices, churches,
35 community centers, and any other location
36 that will most effectively reach low-income
37 and disadvantaged students who must over-
38 come barriers in accessing postsecondary
39 education. The community college district
40 awarded the contract shall consult with the

Chancellor of the California Community Colleges and the Student Aid Commission prior to performing any activities to ensure appropriate coordination with any other state efforts in this area and ensure compliance with this provision.

- (2) Of the amount appropriated in Schedule (5), not more than \$34,200,000 shall be for direct contact with potential and current financial aid applicants. Each CCC campus shall receive a minimum allocation of \$50,000. The remainder of the funding shall be allocated to campuses based upon a formula reflecting full-time equivalent students (FTES) weighted by a measure of low-income populations as demonstrated by BOG fee waiver program participation within a district. It is the intent of the Legislature, to the extent that funds are provided in this item, that all campuses provide additional staff resources to increase both financial aid participation and student access to low-income and disadvantaged students who must overcome barriers in accessing postsecondary education. Funds may be used for screening current students for possible financial aid eligibility and offering personal assistance to these students in accessing financial aid, providing individual help in multiple languages for families and students in filling out the necessary paperwork to apply for financial aid, and increasing financial aid staff to process additional financial aid forms.

- (3) Funding provided to community college districts in ~~Subdivision (d)(2) of Provision 11~~ *paragraph (2) of this subdivision (d)* is provided to directly offset any mandated costs claimed by community college districts pursuant to the Commission on State Mandates

test claim 02-TC-28 (Cal Grants) *and* 02-TC-21 (*Tuition Fee Waivers*).

(4) Funds allocated to a community college district for financial aid personnel, outreach determination of financial need, and delivery of student financial aid services shall supplement, and shall not supplant, the level of funds allocated for the administration of student financial aid programs during the 2001–02 fiscal year or 2006–07, whichever is greater.

(5) It is the intent of the Legislature that the Office of the Chancellor of the California Community Colleges provide the Legislature with a report not later than April 1, 2010, on the use of the funds allocated pursuant to paragraphs (1) and (2) of this subdivision (d), including the distribution of the funds, specific uses of the funds, strategies employed to reach low-income and disadvantaged students potentially eligible for financial aid, and the extent to which districts were successful in increasing the number of students accessing financial aid, particularly the maximum Pell Grant award.

(6) It is the intent of the Legislature that the chancellor report by May 15, 2010, in the manner and using the factors set forth in paragraph (5) of subdivision (c) of Provision 11 of Item 6870-101-0001 of the Budget Act of 2007, on the impact of outreach efforts on student headcount and FTES enrollment for the 2006–07 and 2007–08 academic years.

12. (a) The funds appropriated in Schedule (6) for the Disabled Students Program are for assisting districts in funding the excess direct instructional cost of providing special support services or instruction, or both, to disabled students enrolled at community colleges, and for state hospital programs, as mandated by federal law.

- 1 (b) Of the amount appropriated in Schedule (6), no
2 less than ~~\$3,945,000~~ *\$3,166,000* shall be used to
3 address deficiencies identified by the federal Of-
4 fice of Civil Rights (OCR), as determined by the
5 Office of the Chancellor of the California Com-
6 munity Colleges.
- 7 (c) Of the amount appropriated in Schedule (6), at
8 least ~~\$943,000~~ *\$757,000* shall be used for support
9 of the High Tech Centers for activities including,
10 but not limited to, training of district employees,
11 staff, and students in the use of specialized com-
12 puter equipment for the disabled. All High Tech
13 Centers shall meet standards developed by the
14 Office of the Chancellor. Colleges that receive
15 these augmentations shall not supplant existing
16 resources provided to the centers.
- 17 (d) Notwithstanding any other provision of law, of
18 the funds appropriated in Schedule (6), ~~\$1,246,000~~
19 *\$1,000,000* shall be for state hospital adult educa-
20 tion programs at the hospitals served by the Coast
21 and Kern Community College Districts since the
22 1986–87 fiscal year. If adult education services
23 at any of the three hospitals are not supported by
24 the community colleges in any portion of the
25 2009–10 fiscal year, remaining funds shall, upon
26 order of the Department of Finance, after 30 days’
27 notice to the Chairperson of the Joint Legislative
28 Budget Committee, be transferred to the State
29 Department of Developmental Services (DDS).
30 For any transfer of funds to DDS during the
31 2009–10 fiscal year, the Proposition 98 base
32 funding levels for community colleges and DDS
33 shall be adjusted accordingly.
- 34 (e) Of the funds appropriated in Schedule (6) for the
35 Disabled Student Services, no less than
36 ~~\$9,600,000~~ *\$7,704,000* shall be allocated to sup-
37 port high-cost sign language interpreter services
38 and real-time captioning equipment or other
39 communication accommodations for hearing-im-

1 paired students based on a 4-to-1 state-to-local
2 district match.

- 3 13. The funds appropriated in Schedule (7), Special Ser-
4 vices for CalWORKs Recipients, are for the purpose
5 of assisting welfare recipient students and those in
6 transition off of welfare to achieve long-term self-
7 sufficiency through coordinated student services of-
8 fered at community colleges, including workstudy,
9 other educational related work experience, job place-
10 ment services, child care services, and coordination
11 with county welfare offices to determine eligibility
12 and availability of services. All services funded in
13 Schedule (7) shall be for current CalWORKs recipients
14 or prior CalWORKs recipients who are in transition
15 off of cash assistance for no more than two years.
16 Current cash-assistance recipients may utilize these
17 services until their initial educational objectives are
18 met. Former recipients in transition off of cash assis-
19 tance may utilize these services for a period of up to
20 two years after leaving cash assistance subject to the
21 conditions of this provision. These funds shall be used
22 to supplement and not supplant existing funds and
23 services provided for CalWORKs recipients attending
24 community colleges. The Chancellor of the California
25 Community Colleges shall develop an equitable
26 method for allocating funds to all districts and colleges
27 based on the relative numbers of CalWORKs recipients
28 in attendance and shall allocate funds for the following
29 purposes:

- 30 (a) Job placement.
31 (b) Coordination with county welfare offices and
32 other local agencies, including local workforce
33 investment boards.
34 (c) Curriculum development and redesign.
35 (d) Child care and workstudy.
36 (e) Instruction.
37 (f) Postemployment skills training and related skills.
38 (g) Campus-based case management, limited to on-
39 campus assistance and services not provided by
40 county case workers that do not supplant other

1 counseling and academic support services funded
2 through existing California Community Colleges
3 categorical programs.

4 Of the amount appropriated in Schedule (7),
5 ~~\$15,000,000~~ *\$12,750,000* is for child care and does
6 not require a district match. For the remaining funds,
7 districts shall, as a condition of receipt of these funds,
8 provide a \$1 match for every \$1 provided by the state.

9 Funds utilized for subsidized child care shall be for
10 children of CalWORKs recipients through campus-
11 based centers or parental choice vouchers at rates and
12 with rules consistent with those applied to related
13 programs operated by the State Department of Educa-
14 tion in the 2009–10 fiscal year, including eligibility,
15 reimbursement rates, and parental contribution
16 schedules. Subsidized campus child care for Cal-
17 WORKs recipients may be provided during the period
18 they are engaged in qualifying state and federal work
19 activities through attainment of their initial education
20 and training plan and for up to three months thereafter
21 or until the end of the academic year, whichever period
22 of time is greater.

23 Funds utilized for workstudy shall be used solely
24 for payments to employers that currently participate
25 in campus-based workstudy programs or are providing
26 work experiences that are directly related to and in
27 furtherance of student educational programs and work
28 participation requirements, provided that those pay-
29 ments may not exceed 75 percent of the wage for the
30 workstudy positions, and the employers shall pay at
31 least 25 percent of the wage for the workstudy posi-
32 tions. These funds may be expended only if the total
33 hours of education, employment, and workstudy for
34 the student are sufficient to meet both state and federal
35 minimum requirements for qualifying work-related
36 activities.

37 Funds may be used to provide credit or noncredit
38 classes for CalWORKs students if a district has com-
39 mitted all of its funded full-time equivalent students
40 (FTES) and is unable to offer the additional instruc-

1 tional services to meet the demand for CalWORKs
2 students. This determination shall be based on fall
3 enrollment information. Districts shall submit applica-
4 tions to the Office of the Chancellor by October 15 of
5 each year. If the chancellor approves the use of funds
6 for direct instructional workload, the Office of the
7 Chancellor shall submit a report to the Department of
8 Finance and the Joint Legislative Budget Committee
9 by November 15, 2009, that (a) identifies the enroll-
10 ment of new CalWORKs students, (b) states whether
11 and why additional classes were needed to accommo-
12 date the needs of CalWORKs students, and (c) sets
13 forth an expenditure plan for the balance of funds.

14 As a condition of receipt of the funds appropriated
15 in Schedule (7), by the fourth week following the end
16 of the semester or quarter term commencing in January
17 2010, each participating community college shall
18 submit to the Office of the Chancellor a report, in the
19 format specified by the chancellor in consultation with
20 the State Department of Social Services, that includes,
21 but is not limited to, the funded components, the
22 number of hours of child care provided, the average
23 monthly enrollment of CalWORKs dependents served
24 in child care, the number of workstudy hours provided,
25 the hourly salaries and type of jobs, the number of
26 students being case managed, the short-term programs
27 available, the student participation rates, and other
28 outcome data. It is intended that, to the extent ~~practical~~
29 *practicable*, reporting from colleges utilize data gath-
30 ered for federal reporting requirements at the state and
31 local level. Further, it is intended that the Office of
32 the Chancellor compile the information for annual re-
33 ports to the Legislature, the Governor, the Legislative
34 Analyst, the Department of Finance, and the State
35 Department of Social Services by November 15 of
36 each year.

37 First priority for expenditures of any funds appropri-
38 ated in Schedule (7) shall be in support of current
39 CalWORKs recipients. However, if caseloads are in-
40 sufficient to fully utilize all of the funding in this

schedule in a cost-beneficial way, it is intended that up to \$5,000,000 of the funds subject to local matching requirements may be allocated for providing postemployment services to former CalWORKs recipients who have been off of cash assistance for no longer than two years to assist them in upgrading skills, job retention, and advancement. Allowable services include direct instruction that cannot be funded under available growth funding, child care to support attendance in these classes consistent with this provision, job development and placement services, and career counseling and assessment activities which cannot be funded through other programs. Child care services may only be provided for periods commensurate with a student's need for postemployment training within the two-year transitional period.

Prior to allocation of funds for postemployment services, the chancellor shall first secure the approval of the Department of Finance for the allocations, complete a cumulative report on the outcomes, activities, and cost-effectiveness of the program no later than November 15, 2009, in compliance with the Budget Acts of 1998 (Ch. 324, Stats. 1998) and 1999 (Ch. 50, Stats. 1999) and this act, and shall provide the rationale and justification for the proposed allocation of postemployment services to districts for transitional students.

If a district is unable to fully expend its share of child care funds, it may request that the Office of the Chancellor approve a reallocation to other CalWORKs purposes authorized by this provision, subject to all pertinent limitations and district match required for these purposes under this provision.

Of the funds appropriated in Schedule (7) for the Special Services for CalWORKs Recipients Program, no less than ~~\$8,000,000~~ \$6,800,000 is to provide direct workstudy wage reimbursement for students served under this program, and ~~\$1,000,000~~ \$850,000 is available for campus job development and placement services.

- 1 14. Funds appropriated in Schedule (7) for the Special
2 Services for CalWORKs Recipients Program have
3 been budgeted to meet the state's Temporary Assis-
4 tance for Needy Families maintenance-of-effort require-
5 ment pursuant to the federal Personal Responsibility
6 and Work Opportunity Reconciliation Act of 1996
7 (P.L. 104-193) and may not be expended in any way
8 that would cause their disqualification as a federally
9 allowable maintenance-of-effort expenditure.
- 10 15. (a) Funds provided in Schedule (8) for the Foster
11 Care Education Program shall be allocated to
12 provide foster and relative/kinship care education
13 and training. Districts shall ensure that education
14 and training required by Sections 1529.1 and
15 1529.2 of the Health and Safety Code and Section
16 16003 of the Welfare and Institutions Code re-
17 ceive priority. Districts may use any remaining
18 funds for additional parenting skills training.
- 19 (b) Funds provided in Schedule (8) shall be used for
20 foster parent and relative/kinship care provider
21 education training services consistent with the
22 following criteria:
- 23 (1) The Chancellor of the California Community
24 Colleges shall use these funds exclusively
25 for foster parent and relative/kinship care
26 provider education and training, as specified
27 by the chancellor in consultation with an ad-
28 visory committee that includes foster parents,
29 representatives of statewide foster parent or-
30 ganizations, parent and relative/kinship care
31 providers, and representatives from the State
32 Department of Social Services.
- 33 (2) Acceptance of funds under this program shall
34 constitute agreement by the district to comply
35 with such reporting requirements, guidelines,
36 and other conditions for receipt of funding
37 as the chancellor may establish.
- 38 (3) Each college plan for foster and relative/kin-
39 ship care education programs shall include
40 the provision of training to facilitate the de-

velopment of foster family homes, small family homes, and relative/kinship homes to care for no more than six children who have special mental, emotional, developmental, or physical needs.

(4) The State Department of Social Services shall facilitate the participation of county welfare departments in the foster and relative/kinship care education program.

16. (a) Funds appropriated in Schedule (9) for the Matriculation Program are for the purpose of student matriculation pursuant to Article 1 (commencing with Section 78210) of Chapter 2 of Part 48 of Division 7 of Title 3 of the Education Code.

(b) Of the amount appropriated in Schedule (9), ~~\$20,000,000~~ *\$13,017,000* shall be allocated to community college districts on a one-to-one matching funds basis to provide matriculation services, including, but not limited to, orientation, assessment, and counseling, for students enrolled in designated noncredit classes and programs who may benefit most, as determined by the Chancellor of the California Community Colleges pursuant to Sections 78216 to 78218, inclusive, of the Education Code.

17. The funds in Schedule (13) for the Part-time Faculty Compensation Program shall be allocated solely to increase compensation for part-time faculty from the amounts previously authorized. Funds shall be distributed to districts based on the total actual full-time equivalent students served in the previous fiscal year and include a small district factor as determined by the Chancellor of the California Community Colleges. These funds are to be used to assist districts in making part-time faculty salaries more comparable to full-time salaries for similar work, as determined through each district's local collective bargaining process. These funds shall not supplant the amount of resources each district used to compensate part-time faculty or be used to exceed parity of each part-time faculty em-

1 ployed by each district with regular full-time faculty
2 at the same district, as certified by the chancellor. If
3 a district achieves parity, its allocation may be used
4 for any other educational purpose.

- 5 18. (a) ~~\$24,197,000~~-\$19,637,380 of the funds provided
6 in Schedule (15) for the Telecommunications and
7 Technology Services Program shall be for the
8 purpose of supporting technical and application
9 innovations and for coordination of activities that
10 serve to maximize the utility of the technology
11 investments of the community college system to-
12 wards improving learning outcomes. Allocations
13 shall be made by the Chancellor of the California
14 Community Colleges, based on criteria and
15 guidelines as developed by the chancellor, on a
16 competitive basis through the RFA/RFP applica-
17 tion process for the following purposes:

- 18 (1) Provision of access to statewide multimedia
19 hosting and delivery services for system col-
20 leges and districts.
21 (2) Provision of systemwide Internet, audio
22 bridging, and telephony.
23 (3) Technical assistance and planning, coopera-
24 tive purchase agreements, and faculty and
25 staff development in a manner consistent with
26 paragraph (3) of subdivision (b) of Provision
27 17 of Item 6870-101-0001 of Section 2.00 of
28 the Budget Act of 1996 (Ch. 162, Stats.
29 1996).
30 (4) Ongoing support for the California Virtual
31 Campus Distance Education Program.
32 (5) Ongoing support for programs designed to
33 use technology in assisting accreditation and
34 the alignment of curricula across K–20 seg-
35 ments in California.
36 (6) Support for technology pilots and ongoing
37 technology programs and applications that
38 serve to maximize the utility and economy
39 of scale of the technology investments of the

community college system towards improving learning outcomes.

In addition, a portion of the funds provided in this subdivision shall be available for allocations to districts. It is the intent of the Legislature that these funds be used by colleges to maintain the technology capabilities specified in subdivision (a) of Provision 21 of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003). These funds shall not supplant existing funds used for those purposes, and colleges shall match maintenance and ongoing costs with other funds as provided by Provision 21(a) of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003).

(b) The Office of the Chancellor of the California Community Colleges shall develop the reporting criteria for all programs funded by this item and shall submit that for review along with an annual progress report on program implementation to the Legislative Analyst, the Office of the Secretary for Education, and the Department of Finance no later than December 1 of each year. Reporting shall include summaries of allocations and expenditures by program and by district, where applicable.

(c) Of the funds provided in Schedule (15), ~~\$2,000,000~~ \$1,580,000 is for ongoing support and expansion of the California Partnership for Achieving Student Success (Cal-PASS) program. As a condition of receipt of these funds, the grantee shall submit to the Office of the Chancellor, by October 15 of each year, all of the following: (1) a report that includes the numbers and percentages of institutions and school districts that have signed agreements and the number and percentage that have actively submitted data in the current year and (2) an annual financial audit, as prescribed by the chancellor, that includes an accounting of all funding sources and all uses of funds by funding source. The report and audit also shall be submitted to the Legislative Analyst, the

Department of Finance, and the appropriate budget subcommittees. It is the intent of the Legislature that all reporting requirements contained in this subdivision shall be completed using funds provided to the grantee.

19. Of the funds provided in Schedule (16) for the Economic and Workforce Development Program:

- (a) ~~\$22,830,000~~ *\$15,524,000* is allocated for regional business resources assistance and innovation network centers. Each allocation to a district for Centers for International Development shall contain sufficient funds, as determined by the Chancellor of the California Community Colleges, for the continued operation of Mexican International Trade Centers.
- (b) ~~\$7,822,000~~ *\$5,319,000* is allocated for industry-driven regional education and training collaboratives. These allocations shall be made on a competitive basis and the amounts shall not be restricted to any predetermined limit, but rather shall be funded on their individual merits.
- (c) ~~\$3,609,000~~ *\$2,454,000* is allocated for statewide network leadership, organizational development, coordination, information and support services, or other program purposes.
- (d) ~~\$4,529,000~~ *\$3,080,000* is available for Job Development Incentive Training programs focused on job creation for public assistance recipients. Any annual savings from this subdivision shall only be available for expenditure for one-time activities listed under subdivision (j) of Section 88531 of the Education Code.
- (e) ~~\$8,000,000~~ *\$5,440,200* is allocated for the establishment of a Responsive Incumbent Worker Training Fund, which will serve to expand the delivery of performance improvement training to employers and incumbent workers in high-growth industries. Funds shall also be used to develop programs that integrate basic skills and career technical education curriculum in ways that pro-

vide students with seamless educational course-work that transitions students into high-tech and high-demand job sectors.

(f) The following provisions apply to the expenditure of funds within subdivisions (a) and (b): Funds allocated for centers and regional collaboratives shall seek to maximize the use of state funds for subdivisions (g) to (j), inclusive, of Section 88531 of the Education Code. Funds allocated to districts for purposes of subdivisions (g) and (i) of Section 88531 of the Education Code for performance-based training and student internships shall be matched by a minimum of \$1 of private business and industry funding for each \$1 of state funds. Funds allocated for purposes of subdivision (h) of Section 88531 of the Education Code for credit and noncredit instruction may be transferred to Schedule (1) or (3) to facilitate distribution at the chancellor's discretion. Any funds that become available from network centers due to savings, discontinuance, or reduction of amounts shall first be made available for additional allocations in subdivision (b) to increase the level of subsidized training otherwise available.

(g) Funds allocated by the Board of Governors of the California Community Colleges under this provision may not be used by community college districts to supplant existing courses or contract education offerings. The chancellor shall ensure that funds are spent only for expanded services and shall implement accountability reporting for districts receiving these funds to ensure that training, credit, and noncredit programs remain relevant to business needs. Programs that do not demonstrate continued relevance and support by business shall not be eligible for continued funding. The board of governors shall consider the level of involvement and financial commitments of business and industry as primary factors in making awards. The chancellor shall incorporate project require-

- 1 ments into the guidelines for audits of economic
2 development projects.
- 3 (h) Primary objectives of the Economic and Work-
4 force Development Program are to maximize in-
5 struction, to prepare students for entry-level jobs,
6 to increase skills of the current workforce, and to
7 stimulate the growth of businesses through train-
8 ing so that more jobs are created. As part of the
9 annual report on the performance of the Economic
10 and Workforce Development Program, the chan-
11 cellor shall provide disaggregated data detailing
12 the funding provided to each economic develop-
13 ment regional center and each industry-driven
14 regional education and training collaborative, and
15 to the extent practicable, the total number of hours
16 of contract education services, performance im-
17 provement training, credit and noncredit instruc-
18 tion, and job placements created as a result of
19 each center and collaborative.
- 20 20. (a) The funds appropriated in Schedule (17) for the
21 Transfer Education and Articulation Program are
22 available to support transfer and articulation pro-
23 jects and common course numbering projects.
- 24 (b) Funding provided to community college districts
25 from Schedule (17) is provided to directly offset
26 any mandated costs claimed by community col-
27 lege districts pursuant to Chapter 737 of the
28 Statutes of 2004.
- 29 21. (a) ~~\$13,673,000~~ *One-half* of the funds appropriated
30 in Schedule (18) ~~is~~ *are* available for the following
31 purposes:
- 32 (1) Scheduled maintenance and special repairs
33 of facilities. The Chancellor of the California
34 Community Colleges shall allocate funds to
35 districts on the basis of actual reported full-
36 time equivalent students (FTES), and may
37 establish a minimum allocation per district.
38 As a condition for receiving and expending
39 these funds for maintenance or special re-
40 pairs, a district shall certify that it will in-

crease its operations and maintenance spending from the 1995–96 fiscal year by the amount it allocates from this appropriation for maintenance and special repairs, plus an equal amount to be provided from district discretionary funds. The chancellor may waive all or a portion of the matching requirement based upon a review of a district’s financial condition. The question of whether a district has complied with its resolution shall be reviewed under the annual audit of that district. For every \$1 a district expends from this appropriation for scheduled maintenance and special repairs, the recipient district shall provide \$1 in matching funds.

(2) Hazardous substances abatement, cleanup, and repairs.

(3) Architectural barrier removal projects that meet the requirements of the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and seismic retrofit projects limited to \$400,000. Districts that receive funds for architectural barrier removal projects shall provide a \$1 match for every \$1 provided by the state.

(b) ~~\$13,672,000~~ *One-half* of the funds appropriated in Schedule (18) ~~is~~ *are* available for replacement of instructional equipment and library materials. For every \$3 a district expends from this appropriation for replacement of instructional equipment or library materials, the recipient district shall provide \$1 in matching funds. The chancellor may waive all or a portion of the matching requirement based upon a review of a district’s financial condition. The funds provided for instructional equipment and library materials shall not be used for personal services costs or operating expenses. The chancellor shall allocate funds to districts on the basis of actual reported FTES and may establish a minimum allocation per district. The ques-

tion of whether a district has complied with its resolution shall be reviewed under the annual audit of that district.

- (c) The funds appropriated in Schedule (18) shall be available for expenditure until June 30, ~~2010~~ 2011.

22. Of the funds appropriated in Schedule (19) for Extended Opportunity Programs and Services, ~~\$106,786,000~~ \$89,188,000 is for Extended Opportunity Programs and Services (EOPS) in accordance with Article 8 (commencing with Section 69640) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code. Funds provided in this item for EOPS shall be available to students on all campuses within the California Community College system, including those students on new campuses or in new districts. In addition, ~~\$15,505,000~~ \$12,949,400 is for funding, at all colleges, the Cooperative Agencies Resources for Education (CARE) program in accordance with Article 4 (commencing with Section 79150) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code. The Board of Governors of the California Community Colleges shall allocate funds on a priority basis to local programs on the basis of need for student services.

23. Of the funds appropriated in Schedule (19) for the Extended Opportunity Programs and Services, no less than \$6,900,000 shall be available to support additional textbook assistance grants to community college students as an allowable expenditure consistent with paragraph (10) of subdivision (b) of Section 69648 of the Education Code. In addition, these funds shall not supplant the amount of resources used for ~~text book~~ textbook grants in 2001–02.

24. The funds appropriated in Schedule (20) for the Fund for Student Success is for additional targeted student services, to be expended as follows:

- (a) ~~\$1,921,000~~ \$1,642,000 is for the Puente Project to support up to 75 colleges. These funds are available if matched by \$200,000 of private funds and the participating community colleges and

University of California campuses maintain their 1995–96 fiscal year support level for the Puente Project. All funding shall be allocated directly to participating districts in accordance with their participation agreement.

(b) Up to ~~\$2,459,000~~ \$2,102,000 is for the Mathematics, Engineering and Science Achievement (MESA) Program. For each dollar allocated, the recipient district shall provide \$1 in matching funds.

(c) No less than ~~\$1,778,000~~ \$1,518,820 is for the Middle College High School Program. With the exception of fully compliant special part-time students at the community colleges pursuant to Sections 48802 and 76001 of the Education Code, student workload based on participation in the Middle College High School Program shall not be eligible for community college state apportionment. Further, no community college state apportionment shall be made available for physical education classes, noncredit classes, nor other courses specified in Provision 8.

25. Pursuant to Sections 69648.5, 78216, and 84850, and subdivision (b) of Section 87108, of the Education Code, the Board of Governors of the California Community Colleges may allocate funds appropriated in Schedules (6), (9), (11), and (19) by grant or contract, or through the apportionment process, to one or more districts for the purpose of providing program evaluation, accountability, monitoring, or program development services, as appropriate under the applicable statute.

~~26. The~~

26. (a) The funds appropriated in Schedule (21) for the Career Technical Education Program are for the purpose of aligning career-technical education curriculum between K–12 and community colleges in targeted industry-driven programs offered through the Economic and Workforce Development Program. Prior to the allocation of these

funds, the Chancellor of the California Community Colleges, in conjunction with the State Department of Education, shall submit a proposed expenditure plan for the funds contained in this item, and the rationale therefor, to the Department of Finance by August 1, 2009, for approval.

Of

(b) *Of the funds appropriated in Schedule (21) for the Career Technical Education Program, no more than \$2,500,000 is available for the development and enhancement of health-related career pathway programs in grades 7 to 12, inclusive, and for the articulation and alignment of health-related curriculum between schools with pupils in kindergarten and grades 1 to 12, inclusive, and the California Community Colleges.*

(c) *Of the funds appropriated in Schedule (21) for the Career Technical Education Program, \$48,000,000 is Proposition 98 General Fund.*

27. The funds appropriated in Schedule (22) for the ~~Campus Childcare~~ *Child Care* Tax Bailout shall be allocated by the Chancellor of the California Community Colleges to community college districts that levied child care permissive override taxes in the 1977–78 fiscal year pursuant to Sections 8329 and 8330 of the Education Code in an amount ~~equal~~ *proportional* to the property tax revenues, tax relief subventions, and state aid required to be made available by the district to its child care and development program for the 1979–80 fiscal year pursuant to Section 30 of Chapter 1035 of the Statutes of 1979, increased by any cost-of-living increases granted in subsequent fiscal years. These funds shall be used only for the purpose of community college child care and development programs.

28. With regard to the funds appropriated in Schedule (23), Nursing Program Support, all of the following shall apply:

(a) ~~\$14,000,000~~ *\$11,760,000* shall be used to provide support for nursing program enrollment and

equipment needs consistent with paragraph (2) of subdivision (a) of Section 2 of Chapter 514 of the Statutes of 2001. Funding for nursing enrollment shall provide a marginal increase in funding in addition to the amount provided for each full-time equivalent student for regular growth in apportionments.

- (b) ~~\$8,100,000~~-\$6,804,000 shall be used to provide diagnostic and support services, preentry coursework, alternative program delivery model development, and other services to reduce the incidence of student attrition in nursing programs.
- (c) Funds shall be allocated according to the following criteria:
 - (1) The degree to which the funds provided would be used to increase student enrollment in nursing programs beyond the level of full-time equivalent students served in the 2008–09 academic year.
 - (2) The district’s level of attrition from nursing programs and the suitability of planned expenditures to address attrition levels.
 - (3) The degree to which funds provided would be used to support infrastructure or equipment needs with the intent of building capacity and increasing the number of nursing students served.
 - (4) For districts with attrition rates of 15 percent or more, new funding shall focus on attrition reduction. For districts with attrition rates below 15 percent, new funding shall focus on enrollment expansion.
- (d) On or before March 1 of each year, the Chancellor of the California Community Colleges shall provide the Legislature and the Department of Finance with a report on the allocation of funding. For each district receiving funding under this item, the report shall include all of the following: (1) the amount of funding received, (2) the number of nursing full-time equivalent students served in

the 2006–07 academic year, and the additional number of nursing full-time equivalent students served with funding provided in this item in each subsequent year, (3) the district’s attrition and completion rates in the 2006–07 academic year and subsequent years, (4) any equipment or infrastructure-related items acquired with the funds appropriated in this item, and (5) the number of new and existing faculty receiving annual stipend awards.

29. *Notwithstanding any other provision of law, the Chancellor of the California Community Colleges may reduce community college district base workload measures to match available funding under Schedule (1), which reflects a base reduction of \$120,000,000, and local revenues designated to support community college district general apportionments. It is the intent of the Legislature that community college districts, to the greatest extent possible, shall implement any necessary workload reductions in areas other than basic skills, workforce training, and transfer. On or before March 1, 2010, the chancellor shall provide the Legislature and the Director of Finance with a report on the implementation of this provision.*

30. *Notwithstanding any other provision of law, the Chancellor of the California Community Colleges shall allocate categorical funds as specified in legislation enacted in 2009. Pursuant to the conditions specified in that legislation, districts may utilize funds allocated from Schedules (2), (9), (10), (11), (12), (13), (14), (16), (17), (18), (21), and (22) as further specified in that legislation.*

SEC. 483. *Item 6870-103-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:*

6870-103-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98), to allow selected community colleges to make required lease-purchase payments..... 66,829,000

Schedule:

(1) Rental and administration.....	68,911,000
(2) Reimbursements.....	-2,082,000

Provisions:

1. ~~The funds appropriated in this item are for transfer by the Controller to Section B of the State School Fund.~~ *The Controller shall transfer funds appropriated in this item for base rental, fees, and insurance as and when provided for in the schedule submitted by the State Public Works Board or the Department of Finance. Notwithstanding the payment dates in any related Facility Lease or Indenture, the schedule may provide for an earlier transfer of funds to ensure debt requirements are met and base rental payments are paid in full when due.*
2. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise needed to ensure debt requirements are met.
3. This item may contain adjustments pursuant to Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Section 4.30.

SEC. 484. Item 6870-111-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-111-0001—For local assistance, Board of Governors of the California Community Colleges..... 0

Schedule:

(1) 10.20-CalWORKs Services.....	8,000,000
(2) 20.10.060-Foster Parent Training.....	6,112,000
(3) 20.30.030-Vocational Education.....	56,741,000
	76,287,000
(3.5) 20.30.034-Corrections Training Program.....	2,610,000
(4) 20.30.011-Telecommunications and Technology Infrastructure.....	292,000

1	(5) 20.30.050-Economic Development.....	1,340,000
2		10,540,000
3	(6) Reimbursements.....	-75,095,000
4		-103,841,000

Provisions:

1. The funds appropriated in Schedules (1) and (3) are for transfer by the Controller to Section B of the State School Fund.
2. The funds appropriated in Schedule (1) are to fund additional fixed, variable, and one-time costs for providing support services and instruction for CalWORKs students that include, but are not limited to, job placement and coordination, curriculum development and redesign, child care and workstudy, and instruction. As a condition of receiving funding, colleges are required to submit a plan to the Office of the Chancellor of the California Community Colleges describing how the funds will be utilized, which shall be based on collaboration with county welfare offices regarding the services and instruction that are needed for CalWORKs recipients.
3. The funds appropriated in Schedule (3.5) reflect an interagency agreement with the Department of Corrections and Rehabilitation to support the delivery of staff training and instruction services to the department's staff throughout the state. These funds shall not be made available to the community colleges until 30 days after the interagency agreement is provided to the Legislature.
4. The funds appropriated in Schedule (4) shall be used to support Phase 2 of the CCCTran project.
5. ~~The~~*Of the* funds appropriated in Schedule (5), *\$1,340,000* shall be used to support an interagency agreement between the Office of the Chancellor of the California Community Colleges and the Department of Transportation for the purpose of providing assistance and training in business management practices to small and disadvantaged businesses in an effort to increase their capacity to be successful in bidding for state transportation contracts.

6. *The funds appropriated in Schedule (5) reflect an increase of \$3,200,000 to support interagency agreements between the Office of the Chancellor of the California Community Colleges and the Employment Development Department for the following purposes:*
 - (a) *Offering bridging courses and programs for licensed vocational nurses, paramedics, or independent duty corpsmen to meet the requirements for taking and successfully completing examinations to become a registered nurse.*
 - (b) *Expanding enrollments in allied health occupation programs in community colleges.*
7. *The funds appropriated in Schedule (5) reflect an increase of \$6,000,000 to support interagency agreements between the Office of the Chancellor of the California Community Colleges and the Employment Development Department for the continued support of the Governor's Nursing Initiative.*

SEC. 485. Item 6870-295-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-295-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98), for reimbursement, in accordance with provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the Controller..... 3,000

Schedule:

(1) 98.01.000.184-Health —98.01.001.184-Health Fees (Ch. 1, Stats. 1984, 2nd Ex. Sess.) (CSM-4206).....	1,000
(2) 98.01.090.896-Sex Offenders: Disclosure Requirements (Ch. 908, Stats. 1996) (CSM-97-TC-15).....	1,000
(3) 98.01.028.498-Law Enforcement Jurisdiction Agreements (Ch. 284, Stats. 1998) (CSM-98-TC-20).....	1,000

1. Allocation of funds appropriated in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior-year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.

2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairpersons of the committees in each house of the Legislature that consider appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.

6870-301-6028—For capital outlay, Board of Governors of the California Community Colleges, to be allocated by the board of governors to community college districts for expenditure as set forth in the schedule below, payable from the 2002 Higher Education Capital Outlay Bond Fund.....	12,387,000
--	------------

Preliminary plans and working drawings.....	594,000
---	---------

~~West Valley-Mission Community College District~~
~~Districtwide~~
 (2) ~~40.69.301-Fire Alarm System Replace-~~
~~ment—Construction.....~~ 11,793,000

SEC. 487. Item 6870-301-6041 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-301-6041—For capital outlay, Board of Governors of the California Community Colleges, to be allocated by the board of governors to community college districts for expenditure as set forth in the schedule below, payable from the 2004 Higher Education Capital Outlay Bond Fund..... ~~20,246,000~~
 7,031,000

Schedule:

Coast Community College District
 Orange Coast College
 (1) 40.11.313-Music Building Modernization—Preliminary plans and working drawings..... 343,000

Los Rios Community College District
 American River College
 (2) 40.27.108-Life Science and Fine Arts Modernization—Preliminary plans and working drawings..... 128,000

Santa Clarita Community College District
 College of the Canyons
 (3) 40.54.117-Administration/Student Services—Preliminary plans and working drawings..... 236,000

~~Siskiyou Joint Community College District~~
~~College of the Siskiyous~~
 (4) ~~40.59.104-Science Complex Modernization—Construction and equipment.....~~ 13,215,000

State Center Community College District
 Fresno City College
 (5) 40.64.109-Old Administration Building, North and East Wings, Phase III—Preliminary plans and working drawings.... 153,000

Ventura County Community College District

1	Ventura College	
2	(6) 40.65.305-Buildings APP, S, and DP	
3	Modernization—Construction and	
4	equipment.....	5,294,000
5	Yuba Community College District	
6	Yuba College	
7	(7) 40.71.111-Building 1100 Learning Re-	
8	source Center Renovation—Preliminary	
9	plans and working drawings.....	877,000
10		
11	<i>SEC. 488. Item 6870-301-6049 of Section 2.00 of the Budget</i>	
12	<i>Act of 2009 is amended to read:</i>	
13		
14	6870-301-6049—For capital outlay, Board of Governors of the	
15	California Community Colleges, to be allocated by the	
16	board of governors to community college districts for ex-	
17	penditure as set forth in the schedule below, payable from	
18	the 2006 California Community College Capital Outlay	
19	Bond Fund.....	155,809,000
20		204,082,000
21	Schedule:	
22	Antelope Valley Community College District	
23	Antelope Valley College	
24	(1) 40.03.115-Health and Science Build-	
25	ing—Equipment.....	1,716,000
26	El Camino Community College District	
27	El Camino College Compton Center	
28	(2) 40.14.116-Infrastructure Replacement	
29	Phase 1—Construction.....	29,480,000
30	(3) 40.14.202-Infrastructure Replacement	
31	Phase 2—Preliminary plans and work-	
32	ing drawings.....	1,040,000
33	Imperial Community College District	
34	Imperial Valley College	
35	(4) 40.21.105-Building 400 Moderniza-	
36	tion—Preliminary plans and working	
37	drawings.....	209,000
38	Kern Community College District	
39	Bakersfield College	

1	(5) 40.22.112-Performing Arts Moderniza-	
2	tion—Preliminary plans and working	
3	drawings.....	1,637,000
4	Long Beach Community College District	
5	Long Beach City College, Pacific Coast Campus	
6	(6) 40.25.117-Multi-Disciplinary Academic	
7	Building—Construction and equip-	
8	ment.....	15,793,000
9	Los Angeles Community College District	
10	East Los Angeles College	
11	(7) 40.26.107-Fine and Performing Arts	
12	Center—Equipment.....	2,824,000
13	Los Rios Community College District	
14	Cosumnes River College	
15	(8) 40.27.214-North East Buildings Modern-	
16	ization—Preliminary plans and working	
17	drawings.....	178,000
18	Monterey Peninsula Community College District	
19	Monterey Peninsula College	
20	(9) 40.32.107-Modernize Humanities,	
21	Business, and Student Services Build-	
22	ings—Preliminary plans and working	
23	drawings.....	403,000
24	Redwoods Community College District	
25	College of the Redwoods	
26	(10) 40.42.107-New Science/Humanities	
27	Building Seismic Replacement—Con-	
28	struction Replacement—Working	
29	drawings and construction.....	27,304,000
30		28,047,000
31	Riverside Community College District	
32	Moreno Valley Center	
33	(11) 40.44.208-Phase III Student Academic	
34	Services Building—Preliminary plans	
35	and working drawings.....	437,000
36	South Orange County Community College District	
37	Irvine Valley College	
38	(12) 40.45.131-Life Sciences Building—	
39	Construction and equipment.....	16,111,000
40	<i>Santa Barbara Community College District</i>	

1	<i>Santa Barbara City College</i>	
2	(12.5) 40.53.122-High Technology Center—	
3	Construction and equipment.....	22,522,000
4	Sequoias Community College District	
5	College of the Sequoias	
6	(13) 40.56.116-Administration Building	
7	Remodel for Efficiency—Preliminary	
8	plans and working drawings.....	603,000
9	Tulare Center	
10	(14) 40.56.200-Phase I Site Development	
11	and Facilities—Construction and	
12	equipment.....	55,414,000
13	<i>Siskiyou Joint Community College District</i>	
14	<i>College of the Siskiyous</i>	
15	(14.5) 40.59.104-Science Complex Modern-	
16	ization—Construction and equip-	
17	ment.....	13,215,000
18	Sonoma County Junior Community College	
19	Santa Rosa Junior College	
20	(15) 40.61.104-Health, Physical Education	
21	and Wellness Complex—Preliminary	
22	plans and working drawings.....	2,317,000
23	Chabot-Los Chabot-Las Positas Community College Dis-	
24	trict	
25	Chabot College	
26	(16) 40.62.116-Math-Science Moderniza-	
27	tion—Preliminary plans and working	
28	drawings.....	163,000
29	Ventura County Community College District	
30	Ventura College	
31	(17) 40.65.308-Studio Arts Building Modern-	
32	ization—Preliminary plans and working	
33	drawings.....	180,000
34	<i>West Valley-Mission Community College District</i>	
35	<i>Districtwide</i>	
36	(18) 40.69.301-Fire Alarm System Replace-	
37	ment—Construction.....	11,793,000
38		
39	SEC. 489. Item 6870-490 is added to Section 2.00 of the Budget	
40	Act of 2009, to read:	

6870-490—Reappropriation, Board of Governors of the California Community Colleges. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, in those appropriations:

0785—1988 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-0785, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Los Angeles Community College District

Los Angeles City College

(1) 40.26.209-Jefferson Hall Modernization—Construction and equipment

South Orange County Community College District

Irvine Valley College

(2) 40.45.131-Life Sciences Building—Working drawings

6028—2002 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6028, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Desert Community College District

College of the Desert

(1) 40.10.113-Water and Sewer Infrastructure Replacement—Construction

San Luis Obispo County Community College District

Cuesta College

(4.5) 40.51.112-Theater Arts Building—Equipment

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 6870-490, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 6870-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reverted by Item 6870-497, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007) and Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Los Angeles Community College District

Los Angeles Pierce College

(26) 40.26.505-Child Development Center—Equipment

- 1 *Copper Mountain Community College District*
- 2 *Copper Mountain College*
- 3 (76) 40.72.100-Multi-Use Sports Complex—Equip-
- 4 ment
- 5 (2) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and
- 6 39, Stats. 2005), as reappropriated by Item 6870-491,
- 7 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and
- 8 reverted by Item 6870-497, Budget Act of 2007 (Chs.
- 9 171 and 172, Stats. 2007), and reappropriated by Item
- 10 6870-490, Budget Act of 2007 (Chs. 171 and 172,
- 11 Stats. 2007) and Budget Act of 2008 (Chs. 268 and
- 12 269, Stats. 2008)
- 13 *Los Angeles Community College District*
- 14 *Los Angeles Harbor College*
- 15 (15) 40.26.304-Child Development Center—Equip-
- 16 ment
- 17 *Rio Hondo Community College District*
- 18 *Rio Hondo College*
- 19 (30) 40.43.108-Learning Resource/High Technology
- 20 Center—Equipment
- 21 (3) Item 6870-301-6041, Budget Act of 2006 (Chs. 47 and
- 22 48, Stats. 2006), as reappropriated by Item 6870-490,
- 23 Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
- 24 and Budget Act of 2008 (Chs. 268 and 269, Stats.
- 25 2008)
- 26 *Chaffey Community College District*
- 27 *Chaffey College*
- 28 (1) 40.08.112-Health and Physical Science Building
- 29 Renovation—Construction
- 30 *Citrus Community College District*
- 31 *Citrus College*
- 32 (2) 40.09.123-Vocational Technology Build-
- 33 ing—Equipment
- 34 *Santa Barbara Community College District*
- 35 *Santa Barbara City College*
- 36 (4) 40.53.123-Drama/Music Building Moderniza-
- 37 tion—Construction and equipment
- 38 (4) Item 6870-303-6041, Budget Act of 2007 (Chs. 171
- 39 and 172, Stats. 2007)
- 40 *San Mateo County Community College District*

- 1 *College of San Mateo*
- 2 (1) 40.52.208-Demolition of Seismic Hazardous
- 3 Buildings—Construction
- 4 (5) Item 6870-301-6041, Budget Act of 2008 (Chs. 268
- 5 and 269, Stats. 2008)
- 6 *Cerritos Community College District*
- 7 *Cerritos College*
- 8 (1) 40.07.121-Gymnasium Seismic Retrofit—Construc-
- 9 tion
- 10 *Siskiyou Joint Community College District*
- 11 *College of the Siskiyous*
- 12 (3) 40.59.104-Science Complex Moderniza-
- 13 tion—Working drawings
- 14 *West Valley-Mission Community College District*
- 15 *Districtwide*
- 16 (4) 40.69.301-Fire Alarm System Replacement—Work-
- 17 ing drawings
- 18 6049—2006 California Community College Capital Outlay
- 19 Bond Fund
- 20 (1) Item 6870-303-6049, Budget Act of 2006 (Chs. 47 and
- 21 48, Stats. 2006), as reappropriated by Item 6870-490,
- 22 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
- 23 *Butte-Glenn Community College District*
- 24 *Butte College*
- 25 (1) 40.05.108-Instructional Arts Building—Equipment
- 26 *Citrus Community College District*
- 27 *Citrus College*
- 28 (3) 40.09.126-Student Services Building—Equipment
- 29 *Grossmont-Cuyamaca Community College District*
- 30 *Cuyamaca College*
- 31 (4) 40.19.118-Business/CIS Building—Construction
- 32 and equipment
- 33 *Grossmont College*
- 34 (5) 40.19.210-Health Sciences Building—Construc-
- 35 tion and equipment
- 36 *Hartnell Community College District*
- 37 *Hartnell East Campus*
- 38 (6) 40.20.103-Center for Applied Technology—Equip-
- 39 ment
- 40 *Kern Community College District*

1	<i>Porterville College</i>
2	<i>(8) 40.22.307-Wellness Center—Equipment</i>
3	<i>Los Angeles Community College District</i>
4	<i>Los Angeles City College</i>
5	<i>(9) 40.26.208-Franklin Hall Modernization—Equip-</i>
6	<i>ment</i>
7	<i>Los Angeles Pierce College</i>
8	<i>(11) 40.26.510-Physical Education Building Renova-</i>
9	<i>tion—Equipment</i>
10	<i>Los Angeles Trade-Technical College</i>
11	<i>(12) 40.26.703-Renovate and Modernize Building</i>
12	<i>A—Equipment</i>
13	<i>Los Angeles Valley College</i>
14	<i>(13) 40.26.804-Child Development Center—Equip-</i>
15	<i>ment</i>
16	<i>Mt. San Antonio Community College District</i>
17	<i>Mt. San Antonio College</i>
18	<i>(16) 40.33.116-Design and Online Tech Center—Con-</i>
19	<i>struction and equipment</i>
20	<i>Napa Valley Community College District</i>
21	<i>Napa Valley College</i>
22	<i>(17) 40.35.104-Library/Learning Resource Cen-</i>
23	<i>ter—Construction and equipment</i>
24	<i>North Orange County Community College District</i>
25	<i>Cypress College</i>
26	<i>(18) 40.36.102-Humanities Building 1 Renova-</i>
27	<i>tion—Construction</i>
28	<i>Fullerton College</i>
29	<i>(19) 40.36.203-South Science Building Replace-</i>
30	<i>ment—Construction</i>
31	<i>Rio Hondo Community College District</i>
32	<i>Rio Hondo College</i>
33	<i>(20) 40.43.109-Physical Education Facilities—Con-</i>
34	<i>struction and equipment</i>
35	<i>State Center Community College District</i>
36	<i>Willow International Center</i>
37	<i>(27) 40.64.501-Academic Facilities, Phase</i>
38	<i>II—Equipment</i>
39	<i>Ventura County Community College District</i>
40	<i>Moorpark College</i>

- (28) 40.65.113-Health Science Expansion/Replacement—Equipment
Oxnard College
 - (29) 40.65.207-OCTV Auditorium—Equipment
West Hills Community College District
West Hills College at Coalinga
 - (30) 40.67.104-Wellness Center—Construction and equipment
West Hills College at Lemoore
 - (31) 40.67.206-Multi-Use Sports Complex—Construction and equipment
West Kern Community College District
Taft College
 - (32) 40.68.104-Tech Arts Modernization—Construction
Copper Mountain Community College District
Copper Mountain College
 - (33) 40.72.101-Remodel for Efficiency—Construction and equipment
- (2) Item 6870-301-6049, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reverted by Item 6870-497, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and reappropriated by Item 6870-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
Allan Hancock Community College District
Allan Hancock College
- (1) 40.02.118-One-Stop Student Services Center—Construction and equipment
Contra Costa Community College District
Los Medanos College
 - (10) 40.13.316-Art Area Remodel—Construction
San Francisco Community College District
City College of San Francisco, Chinatown Center
 - (36) 40.48.301-Campus Building—Construction
San Joaquin Delta Community College District
San Joaquin Delta College
 - (37) 40.49.108-Goleman Learning Resource Center Modernization—Construction and equipment
West Valley-Mission Community College District
West Valley College

- 1 (51) 40.69.110-Science and Math Building Renova-
- 2 tion—Construction
- 3 (3) Item 6870-303-6049, Budget Act of 2007 (Chs. 171
- 4 and 172, Stats. 2007)
- 5 Cabrillo Community College District
- 6 Cabrillo College
- 7 (1) 40.06.113-Visual Arts Reconstruction (Building
- 8 300)—Working drawings, construction, and
- 9 equipment
- 10 Ohlone Community College District
- 11 Ohlone College
- 12 (2) 40.16.113-Below Grade Water Intrusion Re-
- 13 pair—Construction
- 14 Grossmont-Cuyamaca Community College District
- 15 Cuyamaca College
- 16 (3) 40.19.119-LRC Expansion/Remodel, Phase
- 17 I—Working drawings, construction, and equip-
- 18 ment
- 19 Los Angeles Community College District
- 20 East Los Angeles College
- 21 (4) 40.26.109-Bailey Library Modernization/Addi-
- 22 tion—Construction and equipment
- 23 Los Angeles Mission College
- 24 (5) 40.26.411-Media Arts Center—Construction and
- 25 equipment
- 26 San Mateo County Community College District
- 27 Cañada College
- 28 (6) 40.52.105-Reconstruction of Academic Facili-
- 29 ties—Construction and equipment
- 30 West Kern Community College District
- 31 Taft College
- 32 (7) 40.68.105-TIL Center—Construction and equip-
- 33 ment
- 34 (4) Item 6870-301-6049, Budget Act of 2008 (Chs. 268
- 35 and 269, Stats. 2008)
- 36 Antelope Valley Community College District
- 37 Antelope Valley College
- 38 (1) 40.03.115-Health and Science Building—Construc-
- 39 tion
- 40 Barstow Community College District

- 1 *Barstow College*
- 2 (2) 40.04.105-Wellness Center—Construction and
- 3 equipment
- 4 *Chaffey Community College District*
- 5 *Ralph M. Lewis Fontana Center*
- 6 (3) 40.08.201-Fontana Center Phase III, Academic
- 7 Building—Construction and equipment
- 8 *Coast Community College District*
- 9 *Orange Coast College*
- 10 (4) 40.11.312-Consumer and Science Laboratory
- 11 Building—Construction and equipment
- 12 *El Camino Community College District*
- 13 *El Camino College*
- 14 (5) 40.14.115-Social Science Remodel for Efficiency—Construction and equipment
- 15 *El Camino College Compton Center*
- 16 (5.5) 40.14.116-Infrastructure Replacement Phase
- 17 I—Working drawings
- 18 *Los Angeles Community College District*
- 19 *Los Angeles Harbor College*
- 20 (6) 40.26.305-Library/Learning Resource Center—Construction
- 21 *Los Angeles Trade-Technical College*
- 22 (7) 40.26.705-Learning Assistance Center Renovation—Construction and equipment
- 23 *Los Rios Community College District*
- 24 *Sacramento City College*
- 25 (10) 40.27.313-Performing Arts Modernization—Construction
- 26 *Mt. San Antonio Community College District*
- 27 *Mt. San Antonio College*
- 28 (11) 40.33.117-Administration Building Remodel—Construction and equipment
- 29 *North Orange County Community College District*
- 30 *Fullerton College*
- 31 (12) 40.36.204-Technology and Engineering Complex—Construction and equipment
- 32 *Redwoods Community College District*
- 33 *College of the Redwoods*
- 34
- 35
- 36
- 37
- 38
- 39

- 1 (14) 40.42.106-Student Services/Administration and
 2 Performing Arts Building—Construction
 3 Riverside Community College District
 4 Riverside City College
 5 (16) 40.44.104-Nursing/Science Building—Construc-
 6 tion and equipment
 7 San Joaquin Delta Community College District
 8 San Joaquin Delta College
 9 (18) 40.49.109-Cunningham Math/Science Replace-
 10 ment—Construction
 11 Santa Clarita Community College District
 12 College of the Canyons
 13 (20) 40.54.116-Library Addition—Construction and
 14 equipment
 15 Santa Monica Community College District
 16 Santa Monica College
 17 (21) 40.55.110-Student Services and Administration
 18 Building—Construction and equipment
 19 Sierra Joint Community College District
 20 Sierra College
 21 (24) 40.58.108-Child Development Center—Construc-
 22 tion and equipment
 23 Sonoma County Junior College District
 24 Santa Rosa Junior College
 25 (25) 40.61.401-Public Safety Training Center Ad-
 26 vanced Laboratory and Office Complex—Con-
 27 struction and equipment
 28 West Hills Community College District
 29 West Hills College, Coalinga
 30 (26) 40.67.105-Agricultural Science Facility—Con-
 31 struction and equipment

32 *Provisions:*

- 33 1. Notwithstanding any other provision of law, the
 34 reappropriations made in this item shall be available
 35 for encumbrance as follows:
 36 (a) Preliminary plans and working drawings until
 37 June 30, 2011.
 38 (b) Construction and equipment until June 30, 2013.
 39

SEC. 490. *Item 6870-491 is added to Section 2.00 of the Budget Act of 2009, to read:*

6870-491—*Reappropriation, Board of Governors of the California Community Colleges. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended to June 30, 2011:*

0574—1998 Higher Education Capital Outlay Bond Fund

(1) *Item 6870-301-0574, Budget Act of 2001 (Ch. 106, Stats. 2001), as amended by Chapter 891 of the Statutes of 2001, and as reappropriated by Item 6870-490, Budget Act of 2002 (Ch. 379, Stats. 2002) and Budget Act of 2004 (Ch. 208, Stats. 2004), and reverted by Item 6870-497, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*

Compton Community College District

Compton College

(15) 40.12.107-Seismic Replacement/Expansion
LRC—Equipment

(16) 40.12.109-Child Development Center—Equipment

6028—2002 Higher Education Capital Outlay Bond Fund

(1) *Item 6870-301-6028, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 6870-490, Budget Act of 2004 (Ch. 208, Stats. 2004) and Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and reverted by Item 6870-497, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*

Grossmont-Cuyamaca Community College District

Cuyamaca College

(23) 40.19.116-Science and Technology
Mall—Equipment

Lake Tahoe Community College District

Lake Tahoe College

(30) 40.23.111-Learning Resource Center—Equipment

Santa Clarita Community College District

College of the Canyons

(69) 40.54.112-Classroom/High Tech Center—Equipment

- 1 *Ventura County Community College District*
- 2 *Moorpark College*
- 3 *(84) 40.65.109-Child Development Center—Equip-*
- 4 *ment*
- 5 (2) *Item 6870-301-6028, Budget Act of 2004 (Ch. 208,*
- 6 *Stats. 2004), as reappropriated by Item 6870-490,*
- 7 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)*
- 8 *Allan Hancock Joint Community College District*
- 9 *Allan Hancock College*
- 10 (1) *40.02.117-Skills Center Replacement—Construc-*
- 11 *tion and equipment*
- 12 *Foothill-De Anza Community College District*
- 13 *Foothill College*
- 14 (5) *40.15.211-Seismic Replacement-Student Ser-*
- 15 *vices—Equipment*
- 16 *North Orange County Community College District*
- 17 *Cypress College*
- 18 (11) *40.36.101-Piazza Infrastructure Repair—Con-*
- 19 *struction*
- 20 (3) *Item 6870-301-6028, Budget Act of 2006 (Chs. 47 and*
- 21 *48, Stats. 2006)*
- 22 *San Bernardino Community College District*
- 23 *San Bernardino Valley College*
- 24 (2) *40.46.215-North Hall Seismic Replacement—Pre-*
- 25 *liminary plans and working drawings*
- 26 (3) *40.46.216-North Hall/Media Communications*
- 27 *Seismic Replacement—Preliminary plans and*
- 28 *working drawings*
- 29 (4) *40.46.217-Chemistry and Physical Science Seis-*
- 30 *mic Replacement—Preliminary plans and working*
- 31 *drawings*
- 32 *6041—2004 Higher Education Capital Outlay Bond Fund*
- 33 (1) *Item 6870-301-6041, Budget Act of 2004 (Ch. 208,*
- 34 *Stats. 2004), as reappropriated by Item 6870-490,*
- 35 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005) and*
- 36 *Item 6870-491, Budget Act of 2006 (Chs. 47 and 48,*
- 37 *Stats. 2006), and reverted by Item 6870-497, Budget*
- 38 *Act of 2006 (Chs. 47 and 48, Stats. 2006), and reap-*
- 39 *propriated by Item 6870-490, Budget Act of 2007 (Chs.*
- 40 *171 and 172, Stats. 2007), and reverted by Item 6870-*

1 497, Budget Act of 2007 (Chs. 171 and 172, Stats.
2 2007), and reappropriated by Item 6870-490, Budget
3 Act of 2008 (Chs. 268 and 269, Stats. 2008)
4 Allan Hancock Joint Community College District
5 Allan Hancock College
6 (1) 40.02.114-Science Health Occupations Com-
7 plex—Construction and equipment
8 Contra Costa Community College District
9 Los Medanos College
10 (7) 40.13.314-Math, Science, Technology Build-
11 ing—Equipment
12 Foothill-De Anza Community College District
13 De Anza College
14 (9) 40.15.109-Chemistry Building Conversion to
15 Math Lab—Equipment
16 (11) 40.15.111-Kirsch Center for Environmental
17 Studies—Equipment
18 (13) 40.15.113-Science Center—Equipment
19 Foothill College
20 (14) 40.15.207-Life Sciences—Construction and
21 equipment
22 Grossmont-Cuyamaca Community College District
23 Cuyamaca College
24 (15) 40.19.117-Communication Arts Building—Equip-
25 ment
26 Grossmont College
27 (16) 40.19.208-New Digital Arts Lab—Equipment
28 Los Rios Community College District
29 Cosumnes River College
30 (29) 40.27.210-Science Building Modernization—Con-
31 struction
32 Merced Community College District
33 Merced College
34 (31) 40.30.116-Science Building Remodel—Equipment
35 Riverside Community College District
36 Riverside City College
37 (40) 40.44.103-Quadrangle Building Moderniza-
38 tion—Construction and equipment
39 Santa Barbara Community College District
40 Santa Barbara City College

- 1 (53) 40.53.122-High Technology Center—Working
- 2 drawings
- 3 Santa Clarita Community College District
- 4 College of the Canyons
- 5 (54) 40.54.113-Laboratory Expansion—Equipment
- 6 Chabot-Las Positas Community College District
- 7 Las Positas College
- 8 (60) 40.62.216-Multi-Disciplinary Education Build-
- 9 ing—Equipment
- 10 Southwestern Community College District
- 11 Otay Mesa Center
- 12 (62) 40.63.200-Phase I Buildings—Equipment
- 13 West Kern Community College District
- 14 Taft College
- 15 (70) 40.68.101-Child Development Center—Equip-
- 16 ment
- 17 Yuba Community College District
- 18 Yuba College
- 19 (74) 40.71.107-Engineering, Math, and Science Re-
- 20 model—Equipment
- 21 Woodland Center
- 22 (75) 40.71.307-Learning Resources/Technology Cen-
- 23 ter—Equipment
- 24 (2) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and
- 25 39, Stats. 2005), as reappropriated by Item 6870-491,
- 26 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and
- 27 reverted by Item 6870-497, Budget Act of 2007 (Chs.
- 28 171 and 172, Stats. 2007), and reappropriated by Item
- 29 6870-490, Budget Act of 2007 (Chs. 171 and 172,
- 30 Stats. 2007) and Budget Act of 2008 (Chs. 268 and
- 31 269, Stats. 2008)
- 32 Kern Community College District
- 33 Porterville College
- 34 (10) 40.22.306-Science Modernization—Preliminary
- 35 plans, working drawings, and construction
- 36 Los Rios Community College District
- 37 Sacramento City College
- 38 (19) 40.27.311-North Gym Building Moderniza-
- 39 tion—Construction
- 40 Palo Verde Community College District

1 *Palo Verde College*
2 (26) 40.37.104-Fine and Performing Arts—Prelimi-
3 nary plans and working drawings
4 *Santa Clarita Community College District*
5 *College of the Canyons*
6 (40) 40.54.114-Physical Education Addition—Equip-
7 ment
8 *West Kern Community College District*
9 *Taft College*
10 (49) 40.68.103-Science Modernization—Construction
11 and equipment
12 6049—2006 California Community College Capital Outlay
13 Bond Fund
14 (1) Item 6870-301-6049, Budget Act of 2006 (Chs. 47 and
15 48, Stats. 2006), as reappropriated by Item 6870-490,
16 Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),
17 and reverted by Item 6870-497, Budget Act of 2008
18 (Chs. 268 and 269, Stats. 2008)
19 *Allan Hancock Joint Community College District*
20 *Allan Hancock College*
21 (1) 40.02.118-One-Stop Student Services Cen-
22 ter—Working drawings
23 *Contra Costa Community College District*
24 *Los Medanos College*
25 (5) 40.13.316-Art Area Remodel—Preliminary plans
26 and working drawings
27 *Los Angeles Community College District*
28 *East Los Angeles College*
29 (6) 40.26.108-Multi-Media Classrooms—Working
30 drawings
31 *Los Rios Community College District*
32 *American River College*
33 (7) 40.27.105-Fine Arts Instructional Space Expan-
34 sion—Working drawings
35 *Cosumnes River College*
36 (8) 40.27.212-Science Building Instructional Expan-
37 sion—Working drawings
38 *Sacramento City College*
39 (9) 40.27.312-Fine Arts Building Moderniza-
40 tion—Working drawings

- 1 *Mt. San Jacinto Community College District*
- 2 *Menifee Valley Center*
- 3 *(10) 40.34.213-General Classroom Building—Work-*
- 4 *ing drawings*
- 5 *Palomar Community College District*
- 6 *Palomar College*
- 7 *(12) 40.38.114-Multi-Disciplinary Building—Working*
- 8 *drawings*
- 9 *South Orange County Community College District*
- 10 *Saddleback College*
- 11 *(13) 40.45.217-Learning Resource Center Renova-*
- 12 *tion—Working drawings*
- 13 *San Bernardino Community College District*
- 14 *Crafton Hills College*
- 15 *(14) 40.46.106-Learning Resource/Technology Cen-*
- 16 *ter—Working drawings*
- 17 *San Joaquin Delta Community College District*
- 18 *San Joaquin Delta College*
- 19 *(17) 40.49.108-Goleman Learning Resource Center*
- 20 *Modernization—Preliminary plans and working*
- 21 *drawings*
- 22 *Sequoias Community College District*
- 23 *College of the Sequoias*
- 24 *(19) 40.56.115-Nursing and Allied Health Cen-*
- 25 *ter—Preliminary plans and working drawings*
- 26 *West Valley-Mission Community College District*
- 27 *West Valley College*
- 28 *(20) 40.69.110-Science and Math Building Renova-*
- 29 *tion—Preliminary plans and working drawings*
- 30 *Feather River Community College District*
- 31 *Feather River College*
- 32 *(22) 40.73.105-Learning Resource Center and Tech-*
- 33 *nology Building—Working drawings*
- 34
- 35 *SEC. 491. Item 6870-492 is added to Section 2.00 of the Budget*
- 36 *Act of 2009, to read:*

6870-492—Reappropriation, California Community Colleges, Proposition 98. The following amounts are hereby reappropriated for apportionments and shall be available for encumbrance or expenditure until June 30, 2010, for the purpose of partially backfilling a projected shortfall in local property tax revenues from the 2009–10 fiscal year for community colleges:

- (1) \$3,722,000 from Schedule (1) of Item 6870-101-0001 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
- (2) \$997,000 from Schedule (3) of Item 6870-101-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)
- (3) \$49,000 from Schedule (6) of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003)
- (4) \$224,000 from Schedule (16) of Item 6870-101-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

SEC. 492. Item 6870-493 is added to Section 2.00 of the Budget Act of 2009, to read:

6870-493—Reappropriation, Board of Governors of the California Community Colleges. The balances of the appropriations provided in the following citations are reappropriated for the purposes specified in Provision 1 and shall be available for encumbrance or expenditure until June 30, 2010:

- (1) Item 6870-002-0890, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Provisions:

1. The funds appropriated in this item are available to support personnel and operating expenses necessary for the implementation of the community college logistics program pursuant to a grant from the United States Department of Labor pursuant to Public Law 105-220.

SEC. 493. Item 6870-497 is added to Section 2.00 of the Budget Act of 2009, to read:

6870-497—*Reversion, Board of Governors of the California Community Colleges. As of June 30, 2009, the balances specified below of the appropriations provided for in the following citations shall revert to the funds from which the appropriations were made:*

0574—1998 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-0574, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Rio Hondo Community College District

Rio Hondo College

(2) 40.43.106-Applied Technology

Building Reconstruction—Construction.....

1,467,000

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

State Center Community College District

Fresno City College

(43) 40.64.108-Student Services Building

Remodel—Construction..... 68,000

6049—2006 California Community College Capital Outlay Bond Fund

(1) Item 6870-301-6049, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

San Francisco Community College District

City College of San Francisco, Phelan Campus

(16) 40.48.110-Classroom/Lab Complex

for Theater, Music, Visual, and Me-

dia Arts—Preliminary plans..... 727,000

(2) Item 6870-301-6049, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as partially reverted by Item 6870-497, and reappropriated by Item 6870-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Los Rios Community College District

American River College

(20) 40.27.105-Fine Arts Instructional

Space Expansion—Construction..... 811,000

Cosumnes River College

1 (22) 40.27.212-Science Building Instruc-
2 tional Expansion—Construction..... 1,558,000
3 Santa Barbara Community College District
4 Santa Barbara City College
5 (40) 40.53.122-High Technology Cen-
6 ter—Construction and equip-
7 ment..... 30,672,000
8 Shasta-Tehama-Trinity Joint Community College
9 District
10 Shasta College
11 (45) 40.57.103-Library Addition—Con-
12 struction..... 1,403,000
13 (3) Item 6870-301-6049, Budget Act of 2008 (Chs. 268
14 and 269, Stats. 2008)
15 Redwoods Community College District
16 College of the Redwoods
17 (15) 40.42.107-New Science/Humanities
18 Building Seismic Replace-
19 ment—Working drawings..... 1,110,000
20 (4) Item 6870-303-6049, Budget Act of 2006 (Chs. 47 and
21 48, Stats. 2006), as reappropriated by Item 6870-490,
22 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
23 Hartnell Community College District
24 Hartnell East Campus
25 (6) 40.20.103-Center for Applied Technol-
26 ogy—Construction..... 676,000
27 Los Rios Community College District
28 Folsom Lake College
29 (14) 40.27.505-Physical Education Space,
30 Phase I—Construction..... 1,278,000
31 Merced Community College District
32 Merced College
33 (15) 40.30.119-Allied Health Cen-
34 ter—Construction..... 3,217,000
35 Riverside Community College District
36 Norco Campus
37 (21) 40.44.308-Industrial Technology
38 Facility, Phase III—Construction..... 1,494,000
39 State Center Community College District
40 Willow International Center

(27) 40.64.501-Academic Facilities, Phase

II—Construction..... 622,000

SEC. 494. Item 7100-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0001—For support of Employment Development Department, for payment to Item 7100-001-0870..... 32,300,000
31,145,000

Provisions:

1. (a) Of the funds appropriated in this item, ~~\$9,202,000~~ \$8,047,000 is to support the development of the Automated Collection Enhancement System (ACES). These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.
- (b) The Director of Finance is authorized to increase or decrease this item to fund ACES implementation workload upon receipt of a new post-vendor procurement special project report. Notwithstanding any other provision of law, any ~~augmentation~~ adjustment under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee. The ACES procurement process for the prime solution provider is in accordance with Chapter 556 of the Statutes of 2005.
- (c) The Department of Finance shall report to the Legislature the number of positions to be administratively established for the Employment Development Department.

SEC. 495. Item 7100-001-0185 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	7100-001-0185—For support of Employment Development	
2	Department, for payment to Item 7100-001-0870, payable	
3	from the Employment Development <i>Department</i> Contingent Fund.....	87,800,000
4		67,600,000
5		
6	Provisions:	
7	1. Funds appropriated in this item are in lieu of the	
8	amounts that otherwise would have been appropriated	
9	for administration pursuant to Section 1586 of the	
10	Unemployment Insurance Code.	
11	2. The amount appropriated in this item includes revenues	
12	derived from the assessment of fines and penalties	
13	imposed as specified in Section 13332.18 of the Gov-	
14	ernment Code.	
15	3. Notwithstanding any other provision of law and sec-	
16	tions of this act, the Director of Employment Develop-	
17	ment may augment this item to make interest payments	
18	on an Unemployment Fund loan secured to pay Unem-	
19	ployment Insurance (UI) benefits. The Employment	
20	Development Department will notify the Department	
21	of Finance by September 1, 2009, of a planned aug-	
22	mentation by submitting an estimated interest calcula-	
23	tion for review. The amount disbursed under this	
24	augmentation is limited to actual interest due on an	
25	Unemployment Fund loan secured to pay UI benefits.	
26	Pursuant to Provision 1 of Item 7100-011-0185, any	
27	amount not disbursed for the purpose specified above	
28	shall be transferred to the General Fund.	
29	4. Of the funds appropriated in this item, \$21,000 is to	
30	support the development of the Automated Collection	
31	Enhancement System. These funds may not be used	
32	for any other purpose or for items outside the approved	
33	project scope. Changes in the project scope must re-	
34	ceive approval using the established administrative	
35	and legislative reporting requirements.	
36	5. Subdivision (b) of Provision 1 of Item 7100-001-0001	
37	also applies to this item.	
38	6. The Secretary of Labor and Workforce Development	
39	shall report to the Director of Finance and the Joint	
40	Legislative Budget Committee on the progress of the	

Underground Economy Enforcement Program and shall provide justification for its continuance by September 13, 2009.

SEC. 496. Item 7100-001-0514 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0514—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Employment Training Fund.....	81,427,000 61,427,000
---	-------------------------------------

Provisions:

1. Upon order of the Director of Finance, funds disencumbered from Employment Training Fund training contracts during the 2009–10 fiscal year that have not reverted as of July 1, 2009, may be appropriated in augmentation of this item.
2. Notwithstanding subparagraph (B) of paragraph (2) of subdivision (a) of Section 10206 of the Unemployment Insurance Code, the Employment Training Panel's administrative costs may exceed 15 percent of the amount appropriated in this item.
3. Of the funds appropriated in this item, \$21,000 is to support the development of the Automated Collection Enhancement System. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.
4. Subdivision (b) of Provision 1 of Item 7100-001-0001 also applies to this item.

SEC. 497. Item 7100-001-0588 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0588—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Unemployment Compensation Disability Fund....	239,558,000 235,240,000
---	---------------------------------------

Provisions:

1. The Employment Development Department shall submit on October 1, 2009, and April 20, 2010, to the Department of Finance for its review and approval, an estimate of expenditures for both the current and budget year, including the assumptions and calculations underlying Employment Development Department projections for expenditures from this item. The Department of Finance shall approve, or modify, the assumptions underlying all estimates within 15 working days of the due date. If the Department of Finance does not approve or modify in writing the assumptions underlying all estimates within 15 working days of the due date, the Employment Development Department shall consider the assumptions and calculations approved as submitted. If the Department of Finance determines that the estimate of expenditures differs from the amount appropriated by this item, the Director of Finance shall so report to the Legislature. At the time the report is made, the amount of this appropriation shall be adjusted by the difference between this Budget Act appropriation and the approved estimate of the Department of Finance. Revisions reported pursuant to this provision are not subject to Section 28.00.
2. Of the funds appropriated in this item, \$1,035,000 is to support the development of the Automated Collection Enhancement System. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.
3. Subdivision (b) of Provision 1 of Item 7100-001-0001 also applies to this item.
4. *(a) Of the funds appropriated in this item, \$11,261,000 is to support the development of the Disability Insurance Automation Project. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive ap-*

proval using the established administrative and legislative reporting requirements.

(b) *The Director of Finance is authorized to increase or decrease this item to fund Disability Insurance Automation Project implementation workload upon receipt of a new postvendor procurement special project report. Notwithstanding any other provision of law, any adjustment under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.*

(c) *The Department of Finance shall report to the Legislature the number of positions to be administratively established for the Employment Development Department.*

SEC. 498. *Item 7100-001-0869 of Section 2.00 of the Budget Act of 2009 is amended to read:*

7100-001-0869—For support of state programs under the		
Workforce Investment Act (WIA), Employment Development Department, payable from the Consolidated Work		
Program Fund.....		152,297,000
		232,396,000
Schedule:		
(1) 61.35-WIA Administration and Program		
Services.....		19,995,000
		35,186,000
(2) 61.40-WIA Growth Industries.....		7,309,000
		5,700,000
(3) 61.50-WIA Industries with a Statewide		
Need.....		20,500,000
		29,100,000
(4) 61.60-WIA Removing Barriers for Special		
Needs Populations.....		12,929,000
		64,338,000

(5) 61.70-WIA Rapid Response Activi-	
ties.....	42,064,000
	53,072,000
(5.5) 61.80-WIA Special Grants.....	4,500,000
(6) 62.10-National Emergency Grant Pro-	
gram.....	45,000,000
(7) <i>Reimbursements</i>	-4,500,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to Schedules (1) and (5) of this item.
- 1.5. For Schedules (2), (3), and (4), the Employment Development Department (EDD) shall submit on October 1, 2009, and April 20, 2010, to the Department of Finance for its review and approval an estimate of expenditures for both the current and prior budget fiscal years, including the assumptions and calculations underlying the EDD's projections for expenditures from these schedules. To the extent the EDD identifies unspent or receives unanticipated additional federal WIA 15-percent discretionary funds, the Department of Finance may increase expenditure authority for Schedules (2) to (4), inclusive, if the additional funding is consistent with the expenditure plan for WIA discretionary funds in this item and meets the four requirements set forth in subdivision (b) of Section 28.00. Any such augmentation exceeding \$250,000 may be authorized not sooner than 30 days after written notification is provided to the chairpersons of the committees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.
- 1.7. For Schedules (2), (3), and (4), in the event that the Employment Development Department is notified of a reduction in federal Workforce Investment Act (WIA) 15-percent discretionary funds, the Department of Finance may decrease expenditure authority for Schedules (2) to (4), inclusive. Any such decrease that

exceeds \$250,000 may be authorized not sooner than 30 days after notification in writing is provided to the chairpersons of the committees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

2. The Secretary of Labor and Workforce Development is authorized to transfer up to \$500,000 of the funds appropriated in this item to the California Workforce Investment Board, Federal Trust Fund, Item 7120-001-0890, to facilitate the implementation and operation of the WIA Program. Any transfer made pursuant to this provision shall be reported in writing to the Department of Finance, the chairpersons of the fiscal committees of each house of the Legislature, and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.
3. Notwithstanding any other provision of law, the Secretary of Labor and Workforce Development is authorized to transfer funds between categories (Schedules (1) to (4), inclusive) as included in the schedule to be used for projects. Any transfer made pursuant to this provision shall be reported in writing to the Department of Finance, the chairpersons of the fiscal committees of each house of the Legislature, and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

SEC. 499. Item 7100-001-0870 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0870—For support of Employment Development	
Department, payable from the Unemployment Administration Fund-Federal.....	575,965,000
	854,184,000

1	Schedule:	
2	(1) 10-Employment and Employment Re-	
3	lated Services.....	167,362,000
4		203,430,000
5	(2) 21-Tax Collections and Benefit Pay-	
6	ments.....	717,449,000
7		900,256,000
8	(3) 22-California Unemployment Insur-	
9	ance Appeals Board.....	91,199,000
10		124,870,000
11	(4) 30.01-General Administration.....	54,388,000
12	(5) 30.02-Distributed General Administra-	
13	tion.....	-51,004,000
14	(6) 50-Employment Training Panel.....	76,101,000
15		56,101,000
16	(7) Reimbursements.....	-22,916,000
17	(8) Amount payable from the General	
18	Fund (Item 7100-001-0001).....	-32,300,000
19		-31,145,000
20	(9) Amount payable from the Employment	
21	Development Department Benefit Au-	
22	dit Fund (Item 7100-001-0184).....	-14,558,000
23	(10) Amount payable from the Employment	
24	Development Contingent Fund (Item	
25	7100-001-0185).....	-87,800,000
26		-67,600,000
27	(11) Amount payable from the Employment	
28	Training Fund (Item 7100-001-	
29	0514).....	-81,427,000
30		-61,427,000
31	(12) Amount payable from the Unemploy-	
32	ment Compensation Disability Fund	
33	(Item 7100-001-0588).....	-239,558,000
34		-235,240,000
35	(12.5) Amount payable from the Unemploy-	
36	ment Fund—Federal (Item 7100-001-	
37	0871).....	0
38	(13) Amount payable from the School Em-	
39	ployees Fund (Item 7100-001-0908)....	-971,000

Provisions:

1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 1555 of the Unemployment Insurance Code.
2. Provision 1 of Item 7100-001-0588 also applies to funds appropriated in this item for the Unemployment Insurance Program.

SEC. 500. Item 7100-001-0871 is added to Section 2.00 of the Budget Act of 2009, to read:

7100-001-0871—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Unemployment Fund—Federal..... 0

Provisions:

1. *The Director of Finance is authorized to augment this item to fund unemployment insurance modernization projects through funds made available from the American Recovery and Reinvestment Act (P.L. 111-5). These projects include, but are not be limited to, implementation of an Alternate Base Period and conversion of the Single Client Database to a relational database management system. Notwithstanding any other provision of law, any adjustment under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or no sooner than any lesser time than the chairperson of the joint committee may in each instance determine.*

SEC. 501. Item 7100-011-0185 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-011-0185—For transfer by the Controller from the Employment Development Department Contingent Fund, to the General Fund..... (489,000)

(20,689,000)

Provisions:

1. Notwithstanding any other provision of law, the Controller shall transfer to the General Fund the unencumbered balance, as determined by the Director of Finance, in the Employment Development Department Contingent Fund as of June 30, 2010.

SEC. 502. Item 7100-011-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-011-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Administration Fund—
Federal..... ~~(575,965,000)~~
~~(854,184,000)~~

SEC. 503. Item 7100-021-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-021-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund..... ~~(152,297,000)~~
~~(232,396,000)~~

SEC. 504. Item 7100-101-0588 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0588—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the Unemployment Compensation Disability Fund..... ~~5,116,229,000~~
~~5,131,282,000~~

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to this item.
2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 3012 of the Unemployment Insurance Code.

3. Apart from the estimate of expenditures that the Employment Development Department provides to the Department of Finance on October 1 and April 20 of each year, the Department of Finance is authorized to approve requests for expenditure adjustments for this item in those amounts made necessary by changes in either workload or payments, any rule or regulation adopted as a result of the enactment of a federal or state law, the adoption of a federal regulation, or the following of a court decision during the 2009–10 fiscal year that are within or in excess of amounts appropriated in this act for that year. The Department of Finance shall approve or modify the request for change in expenditures within seven working days of receipt of the request. If the Department of Finance does not approve or modify the request, the Employment Development Department shall consider the assumptions and calculations approved as submitted. The Department of Finance shall notify the Legislature of any modifications to expenditures made pursuant to this provision.

SEC. 505. Item 7100-101-0869 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0869—For local assistance under Workforce Investment Act (WIA), Employment Development Department, Program 61-WIA Program, payable from the Consolidated Work Program Fund.....	320,616,000
	357,658,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to this item.

SEC. 506. Item 7100-101-0871 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0871—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the Unemployment Fund—Federal..... 7,816,107,000
30,153,102,000

Provisions:

1. Funds appropriated in this item are in lieu of the amounts that would have otherwise been appropriated pursuant to Section 1521 of the Unemployment Insurance Code.
2. Provision 1 of Item 7100-001-0588 also applies to this item.
3. Provision 3 of Item 7100-101-0588 also applies to this item.

SEC. 507. Item 7100-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0890—For local assistance, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund..... (320,616,000)
(357,658,000)

SEC. 508. Item 7100-101-0908 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0908—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the School Employees Fund..... 93,024,000
165,703,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to this item.
2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for benefits pursuant to Section 822 of the Unemployment Insurance Code.
3. Provision 3 of Item 7100-101-0588 also applies to this item.

1
2 *SEC. 509. Item 7100-111-0890 of Section 2.00 of the Budget*
3 *Act of 2009 is amended to read:*

4
5 7100-111-0890—For local assistance, Employment De-
6 velopment Department, payable from the Federal
7 Trust Fund, for transfer to the Unemployment
8 Fund—Federal..... (7,816,107,000)
9 (30,153,102,000)

10
11 *SEC. 510. Item 7120-001-0890 of Section 2.00 of the Budget*
12 *Act of 2009 is amended to read:*

13
14 7120-001-0890—For support of the California Workforce In-
15 vestment Board, payable from the Federal Trust Fund..... 3,030,000
16 3,320,000

17 Schedule:

18 (1) 10-California Workforce Investment
19 Program..... 3,280,000
20 3,570,000
21 (2) Reimbursements..... -250,000

22 Provisions:

23 1. The Secretary of ~~the~~ Labor and Workforce Develop-
24 ment ~~Agency~~, with the approvals of the California
25 Workforce Investment Board and Department of Fi-
26 nance, and not sooner than 30 days after notification
27 to the Joint Legislative Budget Committee, is autho-
28 rized to transfer funds appropriated in this item to the
29 Employment Development Department, Consolidated
30 Work Program Fund, Item 7100-001-0869, to facilitate
31 the implementation and operation of the Workforce
32 Investment Act Program.

33
34 *SEC. 511. Item 7350-001-0001 of Section 2.00 of the Budget*
35 *Act of 2009 is amended to read:*

36
37 7350-001-0001—For support of Department of Industrial Rela-
38 tions..... 66,894,000
39 27,638,000

1	Schedule:	
2	(1) 10-Self-Insurance Plans.....	3,858,000
3		3,818,000
4	(2) 20-Mediation/Conciliation.....	2,458,000
5	(3) 30-Division of Workers' Compensa-	
6	tion.....	170,008,000
7	(4) 36-Commission on Health and Safety	
8	and Workers' Compensation.....	3,341,000
9	(5) 40-Division of Occupational Safety	
10	and Health.....	107,919,000
11		109,449,000
12	(6) 50-Division of Labor Standards Enforce-	
13	ment.....	50,402,000
14		51,685,000
15	(7) 60-Division of Apprenticeship Stan-	
16	dards.....	13,064,000
17	(8) 70-Division of Labor Statistics and Re-	
18	search.....	3,685,000
19		4,529,000
20	(9) 80-Claims, Wages, and Contingen-	
21	cies.....	1,182,000
22	(10) 94.01-Administration.....	34,942,000
23	(11) 94.02-Distributed Administration.....	-34,942,000
24	(13) Reimbursements.....	-2,343,000
25	(14) Reimbursements for Division of Work-	
26	ers' Compensation.....	-1,558,000
27	(15) Amount payable from the Farmworker	
28	Remedial Account (Item 7350-001-	
29	0023).....	-102,000
30	(16) Amount payable from the Cal-OSHA	
31	Targeted Inspection and Consultation	
32	Fund (Item 7350-001-0096).....	-9,785,000
33	(17) Amount payable from the Workers'	
34	Compensation Managed Care Fund	
35	(Item 7350-001-0132).....	-359,000
36	(18) Amount payable from the Industrial	
37	Relations Construction Industry Enforce-	
38	ment Fund (Item 7350-001-0216).....	-63,000

1	(19) Amount payable from the Workers'	
2	Compensation Administration Re-	
3	volving Fund (Item 7350-001-	
4	0223).....	-170,925,000
5	(20) Amount payable from the Asbestos	
6	Consultant Certification Account (Item	
7	7350-001-0368).....	-368,000
8	(21) Amount payable from the Asbestos	
9	Training Approval Account (Item 7350-	
10	001-0369).....	-134,000
11	(22) Amount payable from the Self-Insur-	
12	ance Plans Fund (Item 7350-001-	
13	0396).....	-3,818,000
14	(23) Amount payable from the Elevator	
15	Safety Account (Item 7350-001-	
16	0452).....	-21,283,000
17	(24) Amount payable from the Pressure	
18	Vessel Account (Item 7350-001-	
19	0453).....	-5,335,000
20	(25) Amount payable from the Garment	
21	Manufacturers Special Account (Item	
22	7350-001-0481).....	-500,000
23	(26) Amount payable from the Employment	
24	Training Fund (Item 7350-001-0514)....	-3,287,000
25	(27) Amount payable from the Uninsured	
26	Employers' Account, Uninsured Em-	
27	ployers Benefits Trust Fund (Item 7350-	
28	001-0571).....	-5,314,000
29	(28) Amount payable from the Federal	
30	Trust Fund (Item 7350-001-0890).....	-29,619,000
31	(29) Amount payable from the Industrial	
32	Relations Unpaid Wage Fund (Item	
33	7350-001-0913).....	-3,587,000
34	(30) Amount payable from the Industrial	
35	Relations Unpaid Wage Fund (Section	
36	96.6 of the Labor Code).....	-500,000
37	(31) Amount payable from the Electrician	
38	Certification Fund (Item 7350-001-	
39	3002).....	-2,698,000

1	(32) Amount payable from the Garment In-	
2	dustry Regulations Fund (Item 7350-	
3	001-3004).....	-2,962,000
4	(33) Amount payable from the Apprentice-	
5	ship Training Contribution Fund (Item	
6	7350-001-3022).....	-7,079,000
7	(34) Amount payable from the Workers'	
8	Occupational Safety and Health Educa-	
9	tion Fund (Item 7350-001-3030).....	-1,220,000
10	(35) Amount payable from the Workers'	
11	Compensation Return-to-Work Fund	
12	(Item 7350-001-3031).....	-499,000
13	(36) Amount payable from the Car Wash	
14	Worker Restitution Fund (Item 7350-	
15	001-3071).....	-80,000
16	(37) Amount payable from the Car Wash	
17	Worker Fund (Item 7350-001-3072).....	-202,000
18	(38) Amount payable from the Occupation-	
19	al Safety and Health Fund (Item 7350-	
20	001-3121).....	-15,403,000
21		-41,760,000
22	(39) Amount payable from the State Public	
23	Works Enforcement Fund (Item 7350-	
24	001-3150).....	-1,283,000
25	(40) Amount payable from the Labor En-	
26	forcement and Compliance Fund (Item	
27	7350-001-3152).....	-15,233,000
28	Provisions:	
29	1. The Secretary of Labor and Workforce Development	
30	shall report to the Director of Finance and the Joint	
31	Legislative Budget Committee on the progress of the	
32	Underground Economy Enforcement Program and	
33	shall provide justification for its continuance by	
34	September 13, 2009.	

35
36 *SEC. 512. Item 7350-001-3121 of Section 2.00 of the Budget*
37 *Act of 2009 is amended to read:*

7350-001-3121—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Occupational Safety and Health Fund	15,403,000
	41,760,000

Provisions:

1. *Of the amount appropriated in this item, \$1,530,000 shall be used to conduct a targeted outreach campaign to reduce the incidence of heat-related illness in the California workplace. Funds shall be focused on direct outreach to workers identified by the Department of Industrial Relations as most at risk of suffering from heat-related illness and their employers, in order to educate them on how best to prevent heat-related illness, and to better inform them of their rights and responsibilities under the law. None of these funds shall be expended on television air time, and no more than 50 percent of these funds may be expended on the purchase of radio air time. Any media utilized in this outreach campaign shall reference a toll-free hotline number to file a complaint or to receive information about employee and employer rights and responsibilities regarding safety and health. The department shall track the amount and cost of any radio air time purchased, number of calls, actions taken, and outcomes achieved and report to the Legislature by April 1, 2010, with the intent that the data collected will better inform the design of future outreach.*

SEC. 513. Item 7350-001-3150 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-001-3150—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the State Public Works Enforcement Fund.....	1,283,000
---	-----------

SEC. 514. Item 7350-001-3152 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-001-3152—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Labor Enforcement and Compliance Fund..... 15,233,000

SEC. 515. Item 7350-011-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-011-0001—For transfer by the Controller to the State Public Works Enforcement Fund..... (1,283,000)

Provisions:

1. The amount transferred in this item is a loan to the State Public Works Enforcement Fund. This loan shall be repaid no later than June 30, 2012, with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

SEC. 516. Item 7350-012-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-012-0001—For transfer by the Controller to the Occupational Safety and Health Fund..... (14,506,000)

Provisions:

1. The amount transferred in this item is a loan to the Occupational Safety and Health Fund. This loan shall be repaid no later than June 30, 2010.

SEC. 517. Item 7350-401 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-401—The transfer of \$13,000,000 to the Cal-OSHA Targeted Inspection and Consultation Fund (TICF) pursuant to Item 7350-011-0223 of the Budget Act of 2007 (Chs. 171 and 172, Stats. 2007) shall be repaid to the Workers' Compensation Administration Revolving Fund at a rate of no less than \$3,000,000 per fiscal year, beginning in the 2009–10 fiscal year. Beginning October 1, 2008, the TICF shall be charged interest at the rate earned in the Pooled Money Investment Fund on any portion of the loan that has not been repaid.

SEC. 518. Item 7980-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

7980-001-0001—For support of Student Aid Commission..... 12,623,000

Schedule:

(1) 15-Financial Aid Grants Program..... 13,049,000

(1.5) 50-California Loan Program..... 514,000

(2) 80.01-Administration and Support Services..... 3,376,000

(3) 80.02-Distributed Administration and Support Services..... -3,376,000

(4) Reimbursements..... -296,000

(4.5) Amount payable from the Student Loan Operating Fund (Item 7980-001-0784)..... -514,000

(5) Amount payable from the Federal Trust Fund (Item 7980-001-0890)..... -130,000

Provisions:

1. The funds appropriated in this item are available only for the Student Aid Commission's state operations activities.
2. Of the funds appropriated in Schedule (1), up to \$369,000 is available for expenditure to support enhancement of the Student Aid Commission's Grant Delivery System.
3. Of the funds appropriated in Schedule (1), \$850,000 is only available for the support of 7.0 auditor positions and 1.0 audit supervisor position for the purpose of conducting program compliance reviews for institutions participating in the Cal Grant Program under Chapter 1.7 (commencing with Section 69430) of Part 42 of Division 5 of Title 3 of the Education Code and the Assumption Program of Loans for Education under Article 5 (commencing with Section 69612) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, and other specialized grant programs as deemed necessary by the Student Aid Commission, with the objective of auditing higher risk institutions once every three years. The audits shall emphasize verification of applicant eligibility, fund disbursement, and payment

reconciliation. The ~~Student Aid Commission~~ *commission* shall prioritize its review of institutions that have demonstrated noncompliance in prior audits. *The commission may also conduct compliance reviews of the California Student Opportunity and Access Program under Article 4 (commencing with Section 69560) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.* The commission shall report to the Legislature and the ~~Governor~~ *Department of Finance* by September 30, 2009, on the institutions audited *in the 2007–08 and 2008–09 fiscal years*, the rate of noncompliance with each major program requirement, *the amount of funding that was not expended in compliance with applicable requirements, the amount of funding repaid due to noncompliance*, and the steps taken to address noncompliance.

4. (a) This item reflects \$514,000 payable from the Student Loan Operating Fund for the purpose of funding, on a limited-term basis, 6.0 positions in the Federal Policy and Programs Division. Those positions shall be continued until a sale or other authorized transaction is completed pursuant to Chapter 182 of the Statutes of 2007, which is anticipated to occur in the 2010–11 fiscal year.

SEC. 519. Item 7980-101-0784 is added to Section 2.00 of the Budget Act of 2009, to read:

7980-101-0784—For local assistance, Student Aid Commission, Cal Grant Program, for payment to Item 7980-101-0001, payable from the Student Loan Operating Fund..... 32,000,000

SEC. 520. Item 7980-490 is added to Section 2.00 of the Budget Act of 2009, to read:

7980-490—Reappropriation, Student Aid Commission. The balances of the appropriations provided in the following citations are reappropriated for the purposes specified in Provision 1 and shall be available for encumbrance or expenditure until June 30, 2010:

(1) *Item 7980-001-0001, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 7980-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

Provisions:

1. *The funds reappropriated in this item are available for any expenses that may be necessary or convenient to further the intent of the sale or other authorized transaction of EdFund pursuant to Chapter 182 of the Statutes of 2007. These funds shall not be expended unless first approved by the Department of Finance.*

SEC. 521. Item 8260-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8260-001-0001—For support of California Arts Council.....	1,116,000
Schedule:	
(1) 90-California Arts Council.....	3,222,000
	3,247,000
(2) Reimbursements.....	-197,000
(3) Amount payable from the Graphic Design License Plate Account (Item 8260-001-0078).....	-874,000
(4) Amount payable from the Federal Trust Fund (Item 8260-001-0890).....	-1,035,000
	-1,060,000

SEC. 522. Item 8260-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

8260-001-0890—For support of California Arts Council, for payment to Item 8260-001-0001, payable from the Federal Trust Fund.....	1,035,000
	1,060,000

SEC. 523. Item 8260-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

8260-101-0890—For local assistance, California Arts Council,	
payable from the Federal Trust Fund.....	100,000
	578,000

SEC. 524. Item 8380-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8380-001-0001—For support of Department of Personnel Administration.....	6,645,000
--	-----------

Schedule:

- | | |
|---|------------------------|
| (1) 30-Personnel Management..... | 17,613,000 |
| | 18,131,000 |
| (2) 40.01-Administration..... | 4,416,000 |
| (3) 40.02-Distributed Administration..... | -4,416,000 |
| (4) 54-Benefits Administration..... | 36,964,000 |
| (5) Reimbursements..... | -19,106,000 |
| | -19,624,000 |
| (6) Amount payable from the Flexelect Benefit Fund (Item 8380-001-0821)..... | -1,266,000 |
| (7) Amount payable from the Deferred Compensation Plan Fund (Item 8380-001-0915)..... | -15,144,000 |
| (8) Amount payable from the Vision Care Program for State Annuitants Fund (Item 8380-001-8049)..... | -8,784,000 |
| (9) Amount payable from the Central Service Cost Recovery Fund (Item 8380-001-9740)..... | -3,632,000 |

Provisions:

1. The Department of Personnel Administration may use funds appropriated in this item to complete comprehensive salary surveys that include private and public employers, geographical data, and total compensation. The department shall provide to the appropriate fiscal and policy committees of each house of the Legislature and the Legislative Analyst, within 30 days of completion, each completed salary survey report.
2. Of the funds appropriated in this item, \$350,000 may be spent by the Department of Personnel Administration to contract with one or more recruitment contrac-

1 tors to locate and develop a pool of prospective health
2 care professionals for various state departments that
3 employ medical, mental health, or dental professionals.
4 It is the intent of the Legislature that these contracts
5 will be structured on a performance basis with pay-
6 ments tied to the successful hiring of state staff. Should
7 the Director of Finance, upon receiving a recommen-
8 dation ~~of~~ *from* the Director of the Department of Per-
9 sonnel Administration, determine that it would be in
10 the interests of the state to expand the dollar amount
11 committed to this project, he or she may submit to the
12 Chairperson of the Joint Legislative Budget Committee
13 and the Legislative Analyst a report describing the
14 number of individuals who have been successfully
15 hired to permanent positions in affected departments
16 as a result of the recruitment contractors' work to date
17 and the anticipated benefits (including funds that af-
18 fected departments would revert to the State Treasury
19 due to decreased overtime and contracted personnel
20 costs) that would result from an expansion of the funds
21 committed to this project. Not less than 30 days after
22 submitting the report described above, the Director of
23 Finance may augment this item by an amount not ex-
24 ceeding \$1,500,000 in order to increase health care
25 personnel recruitment efforts.

- 26 3. The Department of General Services, with the consent
27 of the Department of Personnel Administration and
28 the State Personnel Board, may enter into a lease,
29 lease-purchase agreement, or lease with an option to
30 purchase for a build-to-suit facility for the ~~co-location~~
31 *colocation* of the Department of Personnel Adminis-
32 tration and the State Personnel Board in the Sacramen-
33 to area, subject to Department of Finance approval of
34 the terms and conditions of the agreement. At least 30
35 days prior to entering into any agreement, the Depart-
36 ment of General Services shall notify the chairpersons
37 of the committees in each house of the Legislature that
38 consider appropriations and the Joint Legislative
39 Budget Committee of the terms and conditions of the
40 agreement. If the Joint Legislative Budget Committee

does not express any opposition, the Department of General Services may proceed with the agreement after 30 days from when the Department of General Services gave notice to the chairpersons.

SEC. 525. Item 8380-004-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8380-004-0001—For support of Department of Personnel Administration.....	15,734,000
	1,088,000
Schedule:	
(1) 54-Benefits Administration.....	15,734,000
	1,088,000

Provisions:

1. The funds appropriated in this item are available for expenditure until January 1, 2012—~~per, pursuant to~~ Section 22877 of the Government Code.
2. *No funds appropriated in this item or in any other item of this act may be used or expended to fund the Rural Health Care Equity Program described in Section 22877 of the Government Code, except that funds may be used or expended to fund the Rural Health Care Equity Program for members of State Bargaining Unit 5. This provision implements the Legislature's decision, consistent with subdivision (b) of Section 3517.6 of, and Sections 3517.61 and 3517.7 of, the Government Code, and other applicable provisions of law, not to approve the expenditure of funds for the Rural Health Care Equity Program for any state employees other than those employees in State Bargaining Unit 5.*

SEC. 526. Item 8550-001-0191 of Section 2.00 of the Budget Act of 2009 is repealed.

8550-001-0191—For support of California Horse Racing Board, payable from the Fair and Exposition Fund.....	10,418,000
Schedule:	
(1) 10-California Horse Racing Board.....	11,833,000

(2) ~~Amount payable from the Racetrack
Security Account, Special Deposit Fund
(Item 8550-001-0942).....~~ -1,415,000

SEC. 527. Item 8550-001-0942 of Section 2.00 of the Budget Act of 2009 is repealed.

~~8550-001-0942—For support of California Horse Racing Board,
for payment to Item 8550-001-0191, payable from the
Racetrack Security Account, Special Deposit Fund.....~~ 1,415,000

SEC. 528. Item 8550-001-3153 is added to Section 2.00 of the Budget Act of 2009, to read:

*8550-001-3153—For support of California Horse Racing Board,
payable from the Horse Racing Fund.....* 11,833,000
Schedule:

(1) 10-California Horse Racing Board..... 11,833,000
Provisions:

1. Pursuant to Section 19616.51 of the Business and Professions Code, all racing associations and fairs including all breeds of racing shall remit a license fee to the California Horse Racing Board to be deposited in the Horse Racing Fund, which is hereby established. For the 2009–10 fiscal year, each racing association and fair shall pay a proportionate share of \$11,833,000 in the form of a license fee in accordance with a formula developed by the board.

SEC. 529. Item 8550-011-0942 of Section 2.00 of the Budget Act of 2009 is repealed.

~~8550-011-0942—Notwithstanding paragraph (1) of subdivision (b) of Section 19641 of the Business and Professions Code, there is hereby transferred to the General Fund the unencumbered balance of the Racetrack Security Account, Special Deposit Fund, as of June 30, 2010.....~~ (300,000)

SEC. 530. Item 8550-011-3153 is added to Section 2.00 of the Budget Act of 2009, to read:

8550-011-3153—Notwithstanding any other provision of law,
but subject to Section 19641 of the Business and Profes-
sions Code, any redistributable money in a parimutuel pool
on races conducted prior to July 1, 2009, subject to pay-
ment to a claimant, but not successfully claimed within the
claiming period, that is paid to the California Horse Racing
Board pursuant to Section 19641 of the Business and
Professions Code shall be deposited into the Horse Racing
Fund for the 2009–10 fiscal year, the first \$300,000 of
which shall be transferred to the General Fund (300,000)

SEC. 531. Item 8570-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:

8570-001-0001—For support of Department of Food and
Agriculture..... 80,810,000
Schedule:
(1) 11-Agricultural Plant and Animal
Health; Pest Prevention; Food Safety
Services..... ~~116,049,000~~
117,049,000
(2) 21-Marketing, Commodities, and Agri-
cultural Services..... 15,685,000
(3) 31-Assistance to Fairs and County
Agricultural Activities..... 3,239,000
(4) 41.01-Executive, Management, and
Administrative Services..... 19,151,000
(5) 41.02-Distributed Executive, Manage-
ment, and Administrative Services..... -17,987,000
(6) 51-General Agricultural Activities..... 26,814,000
(7) Reimbursements..... -9,350,000
(8) Amount payable from the Motor Vehicle
Account, State Transportation Fund
(Item 8570-001-0044)..... -6,218,000
(9) Amount payable from the Department
of Agriculture Account, Department
of Food and Agriculture Fund (Item
8570-001-0111)..... -15,954,000
(10) Amount payable from the Fair and Ex-
position Fund (Item 8570-001-0191).... -3,916,000

- | | | |
|----|---|------------------------|
| 1 | (11) Amount payable from the Harbors and | |
| 2 | Watercraft Revolving Fund (Item 8570- | |
| 3 | 001-0516)..... | -3,508,000 |
| 4 | (12) Amount payable from the <i>Department</i> | |
| 5 | <i>of Agriculture Building Fund</i> (Item | |
| 6 | 8570-001-0601)..... | -3,369,000 |
| 7 | (13) Amount payable from the Federal | |
| 8 | Trust Fund (Item 8570-001-0890)..... | -38,799,000 |
| 9 | | -39,799,000 |
| 10 | (14) Amount payable from the Antiterrorism | |
| 11 | Fund (Item 8570-001-3034)..... | -547,000 |
| 12 | (15) Amount payable from the Satellite | |
| 13 | Wagering Account (Item 8570-012- | |
| 14 | 0192)..... | -480,000 |
| 15 | Provisions: | |
| 16 | 1. The Secretary of Food and Agriculture shall furnish | |
| 17 | annual reports on all expenditures from all fund | |
| 18 | sources for emergency detection and eradication activ- | |
| 19 | ities relating to agricultural plant or animal pests or | |
| 20 | diseases as defined by (a) no other program funds are | |
| 21 | available to be used to detect or eradicate such pest or | |
| 22 | disease; and (b) the pest or disease is not considered | |
| 23 | established in California and the pest or disease infests | |
| 24 | or infects plants or animals of commercial or noncom- | |
| 25 | mercial agriculture, ornamental horticultural, or habitat | |
| 26 | of significance, to the Director of Finance and the | |
| 27 | Chairperson of the Joint Legislative Budget Commit- | |
| 28 | tee. The report shall specify the amount expended by | |
| 29 | funding source, the activities performed, the pest or | |
| 30 | disease, the location where the pest was detected, the | |
| 31 | location where the eradication efforts were performed, | |
| 32 | and the animal or plant affected for each emergency | |
| 33 | detection or eradication. | |
| 34 | 2. Notwithstanding any other provision of law, | |
| 35 | \$1,500,000 of the amount appropriated in Schedule | |
| 36 | (1) shall be made available for use by the Department | |
| 37 | of Food and Agriculture for the Weed Management | |
| 38 | Area Program. | |
| 39 | 3. On or before January 10, 2011, the Department of | |
| 40 | Food and Agriculture shall submit to the office of the | |

State Chief Information Officer and the Joint Legislative Budget Committee, a report identifying the workload levels for positions supporting the information technology projects that are part of the Emerging Threats budget augmentation.

4. Notwithstanding any other provision of law, \$343,415 of the funds appropriated in this item shall be made available for the implementation of the Global Warming Solutions Act of 2006 (*Ch. 488, Stats. 2006*). Funding made available in this provision to implement the act shall not result in a reduction of funding for county agricultural commissioners.

Of the amounts appropriated in this ~~section~~ *item* to implement the Global Warming Solutions Act of 2006, expenditures shall only be used to develop improved greenhouse gas emission reduction methods that are the maximum technology feasible and cost-effective while maintaining a viable food production system. Such methods shall be demonstrated as part of an agricultural system and may include, but are not limited to, energy efficiency improvements, manure management, animal husbandry practices, methane capture, conservation tillage practices, agricultural biomass recycling and reuse, water conservation and improved irrigation efficiency, increase integrated pest management activities, and improved cropping system.

SEC. 532. Item 8570-001-0111 of Section 2.00 of the Budget Act of 2009 is amended to read:

- | | |
|---|------------|
| <p>8570-001-0111—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Department of Agriculture Account, Department of Food and Agriculture Fund.....</p> | 15,954,000 |
| Provisions: | |
| <ol style="list-style-type: none"> 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |

SEC. 533. Item 8570-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

8570-001-0890—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Federal Trust Fund.....	38,799,000
	39,799,000

SEC. 534. Item 8660-001-0462 of Section 2.00 of the Budget Act of 2009 is amended to read:

8660-001-0462—For support of Public Utilities Commission, payable from the Public Utilities Commission Utilities Reimbursement Account.....	79,348,000
	82,309,000

Schedule:

(1) 10-Regulation of Utilities.....	126,627,000
	129,588,000
(2) 15-Universal Service Telephone Programs.....	638,749,000
(3) 20-Regulation of Transportation.....	21,711,000
	21,711,000
(4) 30.01-Administration.....	28,507,000
(5) 30.02-Distributed Administration.....	-28,507,000
(6) Reimbursements.....	-18,331,000
(6.5) Reimbursement to the Division of Ratepayer Advocates.....	-4,035,000
(7) Amount payable from the State Highway Account, State Transportation Fund (Item 8660-001-0042).....	-3,762,000
(8) Amount payable from the Public Transportation Account, State Transportation Fund (Item 8660-001-0046).....	-3,907,000
(9) Amount payable from the Transportation Rate Fund (Item 8660-001-0412)....	-2,715,000
(10) Amount payable from the Public Utilities Commission Transportation Reimbursement Account (Item 8660-001-0461).....	-11,327,000

1	(11) Amount payable from California High-	
2	Cost Fund-A Administrative Commit-	
3	tee Fund (Item 8660-001-0464).....	-64,795,000
4	(12) Amount payable from California High-	
5	Cost Fund-B Administrative Commit-	
6	tee Fund (Item 8660-001-0470).....	-51,565,000
7	(13) Amount payable from Universal	
8	Lifeline Telephone Service Trust	
9	Administrative Committee Fund	
10	(Item 8660-001-0471).....	-329,558,000
11	(14) Amount payable from Deaf and Dis-	
12	abled Telecommunications Program	
13	Administrative Committee Fund (Item	
14	8660-001-0483).....	-68,953,000
15	(15) Amount payable from Payphone Ser-	
16	vice Providers Committee Fund (Item	
17	8660-001-0491).....	-149,000
18	(16) Amount payable from California	
19	Teleconnect Fund Administrative	
20	Committee Fund (Item 8660-001-	
21	0493).....	-73,508,000
22	(17) Amount payable from the Federal Trust	
23	Fund (Item 8660-001-0890).....	-1,284,000
24	(18) Amount payable from the Public Util-	
25	ities Commission Ratepayer Advocate	
26	Account (Item 8660-001-3089).....	-23,629,000
27	(19) Amount payable from the California	
28	Advanced Services Fund (Item 8660-	
29	001-3141).....	-50,221,000
30	Provisions:	
31	1. The Public Utilities Commission shall require any	
32	public utility requesting a merger to reimburse the	
33	commission for those necessary expenses that the	
34	commission incurs in its consideration of the proposed	
35	merger.	
36	2. <i>The Public Utilities Commission shall not directly</i>	
37	<i>engage in workforce education and training curricu-</i>	
38	<i>lum development as part of the commission's energy</i>	
39	<i>efficiency programs.</i>	
40		

SEC. 535. Item 8855-011-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

8855-011-0001—For transfer by the Controller to the State Audit Fund..... (1,600,000)

Provisions:

1. The amount transferred in this item is a loan to the State Audit Fund. This loan shall be repaid not later than June 30, 2010. It is the intent of the Legislature that the amount transferred in this item be used to address costs associated with the Bureau of State Audits' American Recovery and Reinvestment Act (ARRA) (P.L. 111-5) workload, including preparedness work and early internal control testing of ARRA programs.

SEC. 536. Item 8860-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8860-001-0001—For support of Department of Finance..... 19,423,000

Schedule:

(1) 10-Annual Financial Plan.....	22,874,000
(2) 15-Financial Information System for California (FI\$Cal) Project Support.....	3,414,000
(3) 20-Program and Information System Assessments.....	14,720,000
(4) 30-Supportive Data.....	13,308,000
(4.5) 35-American Recovery and Reinvestment Act Oversight.....	4,100,000
(5) 40.01-Administration.....	6,263,000
(6) 40.02-Distributed Administration.....	-6,263,000
(7) Reimbursements.....	-21,181,000
	-25,281,000
(8) Amount payable from Unallocated Special Funds (Item 8860-011-0494)....	-594,000
(9) Amount payable from Unallocated Bond Funds—Select (Item 8860-011-0797)....	-130,000
(10) Amount payable from Other Unallocated Nongovernmental Cost Funds (Item 8860-011-0988).....	-355,000

- 1 (11) Amount payable from Local Streets and
2 Road Improvement, Congestion Relief,
3 and Traffic Safety Account of 2006,
4 Highway Safety, Traffic Reduction, Air
5 Quality, and Port Security Fund of 2006
6 (Item 8860-001-6065)..... -111,000
7 (12) Amount payable from Central Service
8 Cost Recovery Fund (Item 8860-001-
9 9740)..... -12,522,000
10 Provisions:
11 1. The funds appropriated in this item for CALSTARS
12 shall be transferred by the Controller, upon order of
13 the Director of Finance, or made available by the De-
14 partment of Finance as a reimbursement, to other items
15 and departments for CALSTARS-related activities by
16 the Department of Finance.
17 2. The funds appropriated in this act for purposes of
18 CALSTARS-related data-processing costs may be
19 transferred between any items in this act by the Con-
20 troller upon order of the Director of Finance. Any
21 funds so transferred shall be used only for support of
22 CALSTARS-related data-processing costs incurred.
23 3. Notwithstanding any other provision of law, the Direc-
24 tor of Finance may authorize a loan from the General
25 Fund to the Department of Finance for the purpose of
26 meeting operational cashflow obligations for the
27 2009–10 fiscal year. The loan shall not exceed the es-
28 timated amount of uncollected reimbursements for the
29 final quarter of the fiscal year.
30 4. From the funds appropriated in Schedule (3) for the
31 purpose of evaluating and continuing development
32 and enhancement of the Governor’s Budget Presenta-
33 tion System (GBPS), the following provisions apply:
34 (a) From time to time, but no later than December 1,
35 2009, the Department of Finance shall update the
36 Legislature on anticipated changes to the GBPS.
37 In addition, the Department of Finance shall (1)
38 no later than the approximate same time the
39 Governor’s Budget is formally presented in elec-
40 tronic or any other Web-based form, provide

1 printed and bound hard copies of the Governor's
2 Budget and Governor's Budget Summary as fol-
3 lows: to the Legislative Analyst's Office—45
4 copies, the Office of the Legislative Counsel—
5 ~~six~~ *Counsel*—6 copies, offices of the Members of
6 the Legislature—120 copies, the Rules Commit-
7 tees of the Assembly and Senate—5 copies each,
8 and the fiscal committees of the Legislature—60
9 copies, and (2) no later than four weeks after the
10 Governor's Budget is formally presented in elec-
11 tronic or any other Web-based form, 131 printed
12 and bound hard copies of the Governor's Budget
13 and Governor's Budget Summary shall be provid-
14 ed as follows: ~~two~~ 2 copies to the State Library,
15 to ensure that the State Librarian maintains at least
16 one public copy and one for the permanent re-
17 search collections, and 129 copies: one copy to
18 each depository public library in the state. Addi-
19 tional copies, either bound or unbound, shall be
20 available for purchase by the public based on the
21 cost of producing the documents requested. When-
22 ever the Department of Finance submits to
23 the Legislature changes to the Governor's Budget
24 or to the Budget Bill, these requests shall be pro-
25 vided in hard copy form to the Legislature includ-
26 ing the appropriate staff of the fiscal committees
27 and the Legislative Analyst's Office. Whenever
28 the Department of Finance releases a document
29 summarizing changes proposed for the Governor's
30 Budget or to the Budget Bill, the Department of
31 Finance shall provide the summaries in hard copy
32 form to the Legislature including the appropriate
33 staff of the fiscal committees and the Legislative
34 Analyst's Office.

- 35 (b) Notwithstanding any other provision of law, the
36 Department of Finance may amend its existing
37 contract with the Web development firm to aug-
38 ment and continue consulting services until June
39 30, 2010, for the purpose of providing continuity
40 of services.

6. *It is the intent of the Legislature that the \$4,100,000 appropriated to the Department of Finance in Schedule (4.5) be used, subject to the provisions of Section 8.55, to address costs of the state's American Recovery and Reinvestment Act (ARRA) (P.L. 111-5) coordinating task force, the Inspector General appointed by the Governor, and the efforts of the Office of State Audits and Evaluations (OSAE) to assist the Inspector General appointed by the Governor and to assist departments with ARRA compliance. It is the intent of the Legislature that new staff hired to assist the Inspector General be very limited in number, and that these staff appointments all be limited-term in nature. It is the intent of the Legislature that approximately \$500,000 of the \$4,100,000 appropriated in Schedule (4.5) be used to support OSAE activities described above. It is the intent of the Legislature that approximately \$500,000 of the \$4,100,000 appropriated in Schedule (4.5) be used to support activities of the Inspector General. It is the intent of the Legislature that \$200,000 of the \$4,100,000 appropriated in Schedule (4.5) be used to support operating expenses, equipment, and travel costs of the activities described in this provision and that no additional travel expenses be requested for these activities in the 2009–10 fiscal year in any future request for funds described in Section 8.55. It is the intent of the Legislature that \$400,000 of the \$4,100,000 appropriated in Schedule (4.5) be used to support activities of the ARRA coordinating task force. It is the intent of the Legislature that \$2,500,000 of the \$4,100,000 appropriated in Schedule (4.5) be available to the task force solely to acquire, deploy, and operate the information technology necessary for the state to meet the data collection, tracking, and reporting requirements of ARRA, and to provide the public with full transparency of the uses of ARRA funds in California through a readily accessible and comprehensive Internet Web site.*

SEC. 537. Item 8885-295-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8885-295-0001—For local assistance for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the Controller for claims for costs incurred during the specified periods..... 142,000,000
76,420,000

Schedule:

- (1) For payment of the following mandate claims for costs incurred in the 2004–05 through 2007–08 fiscal years..... 134,000,000
76,420,000
 - (a) ~~Crime–Victim–Rights (Ch. 411, Stats. 1995) (CSM-96-358-01)~~
 - (b) Threats Against Peace Officers (Ch. 1249, Stats. 1992; Ch. 666, Stats. 1995) (CSM-96-365-02)
 - (c) Custody of Minors–Child Abduction and Recovery (Ch. 1399, Stats. 1976; Ch. 162, Stats. 1992; and Ch. 988, Stats. 1996) (CSM-4237)
 - (d) ~~Stolen Vehicle Notification (Ch. 337, Stats. 1990) (CSM-4403)~~
 - (e) Absentee Ballots (Ch. 77, Stats. 1978) (CSM-3713)
 - (f) Permanent Absent Voters (Ch. 1422, Stats. 1982) (CSM-4358)
 - (g) Voter Registration Procedures (Ch. 704, Stats. 1975) (04-LM-04)
 - (h) Absentee Ballots–Tabulation by Precinct (Ch. 697, Stats. 1999) (00-TC-08)
 - (i) Brendon Maguire Act (Ch. 391, Stats. 1988) (CSM-4357)
 - (j) Medi-Cal Beneficiary Death Notices (Chs. 102 and 1163, Stats. 1981) (CSM-4032)

- 1 (k) ~~Pacific Beach Safety (Ch. 961, Stats. 1992)~~
- 2 ~~(CSM-4432)~~
- 3 (f) ~~Perinatal Services (Ch. 1603, Stats. 1990) (CSM-~~
- 4 ~~4397)~~
- 5 (m) ~~AIDS/Search Warrant (Ch. 1088, Stats. 1988)~~
- 6 ~~(CSM-4392)~~
- 7 (n) ~~Mentally Retarded Defendants Representation~~
- 8 ~~(Ch. 1253, Stats. 1980) (04-LM-12)~~
- 9 (o) ~~Judicial Proceedings (Ch. 644, Stats. 1980) (CSM-~~
- 10 ~~4366)~~
- 11 (p) ~~Conservatorship: Developmentally Disabled~~
- 12 ~~Adults (Ch. 1304, Stats. 1980) (04-LM-13)~~
- 13 (q) ~~Developmentally Disabled Attorneys' Services~~
- 14 ~~(Ch. 694, Stats. 1975) (04-LM-03)~~
- 15 (r) ~~Coroners Costs (Ch. 498, Stats. 1977) (04-LM-~~
- 16 ~~07)~~
- 17 (s) ~~Not Guilty by Reason of Insanity (Ch. 1114, Stats.~~
- 18 ~~1979) (CSM-2753)~~
- 19 (t) ~~Mentally Disordered Offenders' Extended Com-~~
- 20 ~~mitments Proceedings (Ch. 435, Stats. 1991) (98-~~
- 21 ~~TC-09)~~
- 22 (u) ~~Sexually Violent Predators (Chs. 762 and 763,~~
- 23 ~~Stats. 1995) (CSM-4509)~~
- 24 (v) ~~Mentally Disordered Sex Offenders' Recommit-~~
- 25 ~~ments (Ch. 1036, Stats. 1978) (04-LM-09)~~
- 26 (w) ~~Domestic Violence Treatment Services (Ch. 183,~~
- 27 ~~Stats. 1992) (CSM-96-281-01)~~
- 28 (x) ~~Police Officer's Cancer Presumption (Ch. 1171,~~
- 29 ~~Stats. 1989) (CSM-4416)~~
- 30 (y) ~~Firefighter's Cancer Presumption (Ch. 1568, Stats.~~
- 31 ~~1982) (CSM-4081)~~
- 32 (z) ~~Domestic Violence Arrest Policies (Ch. 246, Stats.~~
- 33 ~~1995) (CSM-96-362-02)~~
- 34 (aa) ~~Animal Adoption (Ch. 752, Stats. 1998) (98-TC-~~
- 35 ~~11)~~
- 36 (bb) ~~Unitary Countywide Tax Rates (Ch. 921, Stats.~~
- 37 ~~1987) (CSM-4355 and CSM-4317)~~
- 38 (cc) ~~Senior Citizens Property Tax Deferral (Ch. 1242,~~
- 39 ~~Stats. 1977) (CSM-4359)~~

- 1 (dd) Allocation of Property Tax Revenues (Ch. 697,
- 2 Stats. 1992) (CSM-4448)
- 3 (ee) ~~Photographic Record of Evidence (Ch. 875, Stats.~~
- 4 ~~1985) (98-TC-07)~~
- 5 (ff) Rape Victim Counseling (Ch. 999, Stats. 1991)
- 6 (CSM-4426)
- 7 (gg) Health Benefits for Survivors of Peace Officers
- 8 and Firefighters (Ch. 1120, Stats. 1996) (97-TC-
- 9 25)
- 10 (hh) ~~Post Mortem Examinations (Ch. 284, Stats. 2000)~~
- 11 ~~(00-TC-18)~~
- 12 (ii) ~~False Reports of Police Misconduct (Ch. 590,~~
- 13 ~~Stats. 1995) (00-TC-26)~~
- 14 (jj) Crime Victim's Domestic Violence Incident Re-
- 15 ports (Ch. 1022, Stats. 1999) (99-TC-08)
- 16 (kk) Peace Officer Personnel Records: Unfounded
- 17 Complaints and Discovery (Ch. 630, Stats. 1978;
- 18 Ch. 741, Stats. 1994) (00-TC-24)
- 19 (ll) Domestic Violence Arrests and Victims Assis-
- 20 tance (Chs. 698, 701, and 703, Stats. 1998) (98-
- 21 TC-14)
- 22 (mm) ~~Post Conviction: DNA Court Proceedings (Ch.~~
- 23 ~~943, Stats. 2001) (00-TC-21, 01-TC-08)~~
- 24 (nn) ~~DNA Database and Amendment to Post Mortem~~
- 25 ~~Examinations: Unidentified Bodies (Ch. 822,~~
- 26 ~~Stats. 2000; Ch. 467, Stats. 2001) (00-TC-27; 02-~~
- 27 ~~TC-39)~~
- 28 (oo) ~~Handicapped and Disabled Students II (Ch. 1128,~~
- 29 ~~Stats. 1994; Ch. 654, Stats. 1996) (02-TC-40; 02-~~
- 30 ~~TC-49)~~
- 31 (pp) ~~Costs for AB 3632 mandates: Services to Handi-~~
- 32 ~~capped Students (Ch. 1747, Stats. 1984) (CSM-~~
- 33 ~~4282) and Seriously Emotionally Disturbed~~
- 34 ~~Pupils (Ch. 654, Stats. 1996) (97-TC-05)~~
- 35 (qq) ~~Binding Arbitration (Ch. 906, Stats. 2000) (01-~~
- 36 ~~TC-07)~~
- 37 (rr) ~~Firearm Hearings for Discharged Inpatients (Ch.~~
- 38 ~~578, Stats. 1999)~~

1	(2) For payment of mandate claims for the	
2	2005–06, 2006–07, and 2007–08 fiscal	
3	years for the Public Safety Officers	
4	Procedural Bill of Rights Act (Ch. 675,	
5	Stats. 1990) (CSM-4499).....	8,000,000
6		0
7	(3) Pursuant to the provisions of Section	
8	17581 of the Government Code, the	
9	mandates identified in the following	
10	schedule are specifically identified by	
11	the Legislature for suspension during	
12	the 2009–10 fiscal year.....	0
13	(a) Adult Felony Restitution (Ch. 1123, Stats. 1977)	
14	(04-LM-08)	
15	(b) AIDS/Search Warrant (Ch. 1088, Stats. 1988)	
16	(CSM-4392)	
17	(c) Animal Adoption (Ch. 752, Stats. 1998) (04-PGA-	
18	01, 98-TC-11)	
19	(d) Binding Arbitration (Ch. 906, Stats. 2000) (01-	
20	TC-07)	
21	(e) Conservatorship: Developmentally Disabled	
22	Adults (Ch. 1304, Stats. 1980) (04-LM-13)	
23	(f) Coroners Costs (Ch. 498, Stats. 1977) (04-LM-	
24	07)	
25	(g) Crime Victims Rights (Ch. 411, Stats. 1995)	
26	(CSM-96-358-01)	
27	(h) Deaf Teletype Equipment (Ch. 1032, Stats. 1980)	
28	(04-LM-11)	
29	(i) Developmentally Disabled Attorneys' Service (Ch.	
30	694, Stats. 1975) (04-LM-03)	
31	(j) DNA Database and Amendment to Post Mortem	
32	Examinations: Unidentified Bodies (Ch. 822,	
33	Stats. 2000; Ch. 467, Stats. 2001) (00-TC-27; 02-	
34	TC-39)	
35	(k) Domestic Violence Information (Ch. 1609, Stats.	
36	1984) (CSM-4222)	
37	(l) Elder Abuse, Law Enforcement Training (Ch. 444,	
38	Stats. 1997) (98-TC-12)	
39	(m) Extended Commitment, Youth Authority (Ch. 267,	
40	Stats. 1998) (98-TC-13)	

- 1 (n) *False Reports of Police Misconduct* (Ch. 590,
- 2 *Stats. 1995*) (00-TC-26)
- 3 (o) *Filipino Employee Surveys* (Ch. 845, *Stats. 1978*)
- 4 (*CSM-2142*)
- 5 (p) *Fire Safety Inspections of Care Facilities* (Ch.
- 6 *993, Stats. 1989*) (01-TC-16)
- 7 (q) *Firearm Hearings for Discharged Inpatients* (Chs.
- 8 *578, Stats. 1999*) (99-TC-11)
- 9 (r) *Grand Jury Proceedings* (Ch. 1170, *Stats. 1996*)
- 10 (*98-TC-27*)
- 11 (s) *Guardianship/Conservatorship Filings* (Ch. 1357,
- 12 *Stats. 1976*) (04-LM-15)
- 13 (t) *Handicapped Voter Access Information* (Ch. 494,
- 14 *Stats. 1979*) (*CSM-4363*)
- 15 (u) *Inmate AIDS Testing* (Ch. 1597, *Stats. 1988*)
- 16 (*CSM-4369*)
- 17 (v) *Judicial Proceedings* (Ch. 644, *Stats. 1980*)
- 18 (*CSM-4366*)
- 19 (w) *Law Enforcement Sexual Harassment Training*
- 20 (Ch. 126, *Stats. 1993*) (97-TC-07)
- 21 (x) *Local Coastal Plans* (Ch. 1330, *Stats. 1976*)
- 22 (*CSM-4431*)
- 23 (z) *Mentally Disordered Offenders' Treatment as a*
- 24 *Condition of Parole* (Ch. 228, *Stats. 1989*; Ch.
- 25 *706, Stats. 1994*) (00-TC-28, 05-TC-06)
- 26 (aa) *Mentally Disordered Offenders' Extended Com-*
- 27 *mitments Proceedings* (Ch. 435, *Stats. 1991*) (98-
- 28 *TC-09*)
- 29 (bb) *Mentally Disordered Sex Offenders' Recommit-*
- 30 *ments* (Ch. 1036, *Stats. 1978*) (04-LM-09)
- 31 (cc) *Mentally Retarded Defendants Representation*
- 32 (Ch. 1253, *Stats. 1980*) (04-LM-12)
- 33 (dd) *Missing Persons Report* (Ch. 1456, *Stats. 1988*;
- 34 *Ch. 59, Stats. 1993*) (*CSM-4255, CSM-4484, and*
- 35 *CSM-4368*)
- 36 (ee) *Not Guilty by Reason of Insanity* (Ch. 1114, *Stats.*
- 37 *1979*) (*CSM-2753*)
- 38 (ff) *Pacific Beach Safety* (Ch. 961, *Stats. 1992*) (*CSM-*
- 39 *4432*)

- 1 (gg) *Perinatal Services* (Ch. 1603, Stats. 1990) (CSM-
2 4397)
- 3 (hh) *Personal Alarm Devices* (8 Cal. Code Regs.
4 3401(c)) (CSM-4087)
- 5 (ii) *Photographic Record of Evidence* (Ch. 875, Stats.
6 1985) (98-TC-07)
- 7 (jj) *Pocket Masks* (Ch. 1334, Stats. 1987) (CSM-4291)
- 8 (kk) *Post Conviction: DNA Court Proceedings* (Ch.
9 943, Stats. 2001) (00-TC-21, 01-TC-08)
- 10 (ll) *Post Mortem Examinations* (Ch. 284, Stats. 2000)
11 (00-TC-18)
- 12 (mm) *Prisoner Parental Rights* (Ch. 820, Stats. 1991)
13 (CSM-4427)
- 14 (nn) *Senior Citizens Property Tax Deferral* (Ch. 1242,
15 Stats. 1977) (CSM-4359)
- 16 (oo) *Sex Crime Confidentiality* (Ch. 502, Stats. 1992;
17 Ch. 36, Stats. 1994, 1st Ex. Sess.) (98-TC-21)
- 18 (pp) *Sex Offenders: Disclosure by Law Enforcement*
19 *Officers* (Chs. 908 and 909, Stats. 1996) (97-TC-
20 15)
- 21 (rr) *SIDS Autopsies* (Ch. 955, Stats. 1989) (CSM-
22 4393)
- 23 (ss) *SIDS Contacts by Local Health Officers* (Ch. 268,
24 Stats. 1991) (CSM-4424)
- 25 (tt) *SIDS Notices* (Ch. 453, Stats. 1974) (04-LM-01)
- 26 (uu) *SIDS Training for Firefighters* (Ch. 1111, Stats.
27 1989) (CSM-4412)
- 28 (vv) *Stolen Vehicle Notification* (Ch. 337, Stats. 1990)
29 (CSM-4403)
- 30 (ww) *Structural and Wildland Firefighter Safety*
31 *Clothing and Equipment* (8 Cal. Code Regs.
32 3401 to 3410, incl.) (CSM-4261 to CSM-4281)
- 33 (xx) *Substandard Housing* (Ch. 238, Stats. 1974)
34 (CSM-4303)
- 35 (yy) *Very High Fire Hazard Severity Zones* (Ch. 1188,
36 Stats. 1992) (97-TC-13)
- 37 (zz) *Victims Statements-Minors* (Ch. 332, Stats. 1981)
38 (04-LM-14)
- 39 (aaa) *Racial Profiling: Law Enforcement Training*
40 (Ch. 684, Stats. 2000) (01-TC-01)

Provisions:

1. Allocations of funds provided in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior-year claims may be paid from this item. The funds appropriated in this item shall be allocated only for the payment of claims as required by Chapter 4 (commencing with Section 17550) of Part 7 of Division 4 of Title 2 of the Government Code, and that payment shall be made pursuant to Article 5 (commencing with Section 17615) of that chapter. Notwithstanding any other provision of law, interest shall be paid from funds appropriated in this item only to the extent, and in the amount, authorized by Section 17561.5 of the Government Code.
2. Notwithstanding any other provision of law, the payment of estimated reimbursement claims for the 2008–09 fiscal year shall not be made from this appropriation.
3. The Controller shall offset payments made from the appropriation in this item to recoup the amount of any unallowable mandate claim costs determined by desk or field audits.
4. Notwithstanding any other provision of law, accounts receivable for recoveries that result in savings as described in Provision 3 shall have no effect upon the positive balance of the General Fund. The savings may be used to pay claims for costs incurred to carry out the cited state mandates in this item.
5. Of the funds appropriated in Schedule (1), \$21,500,000 may be used to fund the initial reimbursement claims for mandates approved during the 2008–09 fiscal year.
6. *The Department of Finance, in consultation with the California State Association of Counties, shall review all mandates funded under this item relating to elections. The department shall submit a report to the Joint*

Legislative Budget Committee, by October 1, 2009, with recommendations regarding simplifying the reimbursement process for these mandates, including replacement of the current mandates' parameters and guidelines with a reasonable reimbursement methodology. The Controller's office shall not disburse, prior to June 1, 2010, any funds appropriated under this item to pay election mandate claims, unless the Director of Finance has submitted a letter to the Joint Legislative Budget Committee and the Controller's office indicating that the director has reached an agreement with the California Association of Counties on either the revised mandate reimbursement process proposed by the Department of Finance or an alternative, simplified mandate reimbursement process proposed by the California Association of Counties.

7. *The Department of Finance and the Department of Justice shall review the mandates funded under this item relating to domestic violence and rape counseling. The departments shall submit a report to the Joint Legislative Budget Committee, by January 1, 2010, with recommendations regarding consolidating the mandated requirements, coordinating the mandated requirements with voter-approved measures, and, if appropriate, reallocating funding for these mandates to victims' assistance programs.*
8. *The Department of Finance shall review the mandate reimbursement process and shall submit a report to the Joint Legislative Budget Committee, by April 1, 2010, with a recommendation regarding simplifying the mandate reimbursement process and reducing its costs.*

SEC. 538. Item 8940-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8940-001-0001—For support of Military Department.....	41,683,000
	43,510,000

1	Schedule:	
2	(1) 10-Army National Guard.....	74,019,000
3		75,895,000
4	(2) 20-Air National Guard.....	21,546,000
5		21,948,000
6	(3) 30.01-Office of the Adjutant General....	11,116,000
7		12,943,000
8	(4) 30.02-Distributed Office of the Adju-	
9	tant General.....	-11,029,000
10		-12,856,000
11	(5) 35-Military Support to Civil Authori-	
12	ty.....	20,069,000
13	(6) 40-Military Retirement.....	3,035,000
14	(7) 50-California Cadet Corps.....	348,000
15	(8) 55-California State Military Reserve.....	478,000
16	(9) 65-California National Guard Youth	
17	Programs.....	18,434,000
18	(11) Reimbursements.....	-19,881,000
19	(12) Amount payable from the Armory Dis-	
20	cretionary Improvement Account (Item	
21	8940-001-0485).....	-158,000
22	(13) Amount payable from the Federal	
23	Trust Fund (Item 8940-001-0890).....	-76,294,000
24	(14) <i>Amount payable from the Mental Health</i>	
25	<i>Services Fund (Item 8940-001-3085)....</i>	<i>-451,000</i>
26	Provisions:	
27	1. No expenditures shall be made from the funds appro-	
28	priated in this item as a substitution for personnel,	
29	equipment, facilities, or other assistance, or for any	
30	portion thereof, that, in the absence of the expenditure,	
31	or of this appropriation, would be available to the	
32	Adjutant General of the State Military Forces, the	
33	California State Military, or the California State Mili-	
34	tary Reserve from the federal government.	
35	2. The funds appropriated in Schedule (6) shall be for	
36	military retirements, in accordance with Sections 228	
37	and 256 of the Military and Veterans Code.	
38	3. Of the funds appropriated in this item, \$631,000 shall	
39	be used to provide mandatory employee compensation	
40	increases for state active duty employees, as follows:	

(a) \$316,000 shall provide the remaining half-year funding needed for the compensation increase effective January 1, 2009; and (b) \$315,000 shall provide half-year funding for a compensation increase effective January 1, 2010, and shall only be available for expenditure upon passage of a federal active duty compensation increase in the federal budget. The funds provided in this ~~paragraph~~ *provision* shall be expended pursuant to Sections 320 and 321 of the Military and Veterans Code, which requires state active duty employees to receive the same compensation increases as their counterparts on federal active duty. Any unspent funds pursuant to this paragraph shall revert to the General Fund.

SEC. 539. Item 8940-001-3085 is added to Section 2.00 of the Budget Act of 2009, to read:

8940-001-3085—For support of the California Military Department, for payment to Item 8940-001-0001, payable from the Mental Health Services Fund..... 451,000

SEC. 540. Item 8955-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

*8955-001-0001—For support of Department of Veterans Affairs..... ~~198,932,000~~
192,132,000*

Schedule:

(1) 10-Farm and Home Loans to Veterans..... 2,241,000
(2) 20-Veterans Claims and Rights..... 4,463,000
(3) 30.01-Headquarters..... 23,112,000
(4) 30.10-Veterans Home of California at Yountville..... 91,179,000
(5) 30.20-Veterans Home of California at Barstow..... 21,286,000
(6) 30.30-Veterans Home of California at Chula Vista..... 30,710,000

1	(7) 30.40-Veterans Home of California-	
2	Greater Los Angeles Ventura County	
3	(GLAVC).....	30,703,000
4		23,903,000
5	(8) 30.50-Veterans Home of California at	
6	Redding.....	290,000
7	(9) 30.60-Veterans Home of California at	
8	Fresno.....	290,000
9	(10) 50.01-General Administration.....	20,714,000
10	(11) 50.02-Distributed General Administra-	
11	tion.....	-20,714,000
12	(12) Reimbursements.....	-1,093,000
13	(13) Amount payable from the Veterans	
14	Service Office Fund (Item 8955-001-	
15	0083).....	-52,000
16	(14) Amount payable from the Northern	
17	California Veterans Cemetery Perpetual	
18	Maintenance Fund (Item 8955-001-	
19	0238).....	-50,000
20	(15) Amount payable from the Veterans'	
21	Farm and Home Building Fund of 1943	
22	(Item 8955-001-0592).....	-2,241,000
23	(16) Amount payable from the Federal Trust	
24	Fund (Item 8955-001-0890).....	-1,692,000
25	(17) Amount payable from the Mental	
26	Health Services Fund (Item 8955-001-	
27	3085).....	-214,000
28	Provisions:	
29	1. Of the funds appropriated in this item, \$2,000,000	
30	shall be expended only for the replacement of equip-	
31	ment and furnishings directly related to the care of the	
32	members at Veterans Homes of California.	
33	2. The Secretary of Veterans Affairs shall report annually	
34	on all expenditures pursuant to Provision 1 to the Di-	
35	rector of Finance, the Chairperson of the Joint Legisla-	
36	tive Budget Committee, and the chairpersons of the	
37	fiscal committees of each house of the Legislature.	
38	The report shall specify the following: (a) the equip-	
39	ment purchased, (b) the amount expended, (c) the	
40	vendor from whom it was purchased, (d) the method	

of purchase, (e) the purpose and use of the equipment, (f) the location of the equipment by Home and Program Unit, and (g) the life expectancy of the equipment. The report shall also include planned expenditures of equipment as specified for the forthcoming five fiscal years.

3. Of the funds appropriated in Schedule (4), the amount of \$500,000 is available for special projects that provide a direct benefit to the members of the Veterans Home of California at Yountville, including the maintenance of facilities used by members and the public. The Allied Council at the Veterans Home of California may submit special project requests to the administration for consideration. After consultation with the Allied Council, a budget for expenditure of these funds shall be approved by the administrator, and the Secretary of Veterans Affairs.
4. Of the funds appropriated in Schedule (4), up to \$118,000 shall be used to restore the Yountville Veterans Home's no-cost nonprescription drug benefit to the level provided in the 2004–05 fiscal year. It is the intent of the Legislature that this benefit shall be consistent with that provided at the Chula Vista and Barstow Veterans Homes.
5. Notwithstanding any other provision of law, the Department of Veterans Affairs is not required to comply with Chapter 615 of the Statutes of 2006 during the 2009–10 fiscal year because no appropriation has been provided to support the activities required by Chapter 615 of the Statutes of 2006.

SEC. 541. Item 9100-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9100-101-0001—For local assistance, Tax Relief.....	479,318,000
	472,370,000
Schedule:	
(1) 50-Homeowners' Property Tax Relief.....	444,578,000

(5) 60-Subventions for Open Space..... 34,740,000
27,792,000

Provisions:

1. Schedule (1) is for reimbursement to local taxing authorities for revenue lost by reason of the homeowners' property tax exemption granted pursuant to subdivision (k) of Section 3 of Article XIII of the California Constitution. The appropriation made in that schedule shall be in lieu of the appropriation required pursuant to Section 25 of Article XIII of the California Constitution and the appropriation for the same purposes contained in Section 16100 or 16120 of the Government Code.
2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for Schedule (1) in excess of or less than the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.
3. Schedule (5) is for providing reimbursement to local taxing authorities for revenue lost by reason of the assessment of open space lands under Sections 423, 423.3, 423.4, and 423.5 of the Revenue and Taxation Code, and in accordance with Chapter 3 (commencing with Section 16140) of Part 1 of Division 4 of Title 2 of the Government Code. The appropriation made in that schedule shall be in lieu of the appropriation for the same purpose contained in Section 16100 or 16140 of the Government Code. The Controller shall allocate these funds in accordance with Section 16144 of the Government Code. *The Controller shall reduce all payments on a pro rata basis as necessary so that the total of all payments does not exceed the amount appropriated in Schedule (5).*

SEC. 542. Item 9350-104-6065 is added to Section 2.00 of the Budget Act of 2009, to read:

9350-104-6065—Local assistance-shared revenues for support of Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006.... 700,000,000

Provisions:

1. Of the funds appropriated in this item, \$258,205,000 is for cities or a city and a county and \$441,795,000 is for counties or a city and a county.
2. The Controller shall allocate these funds on a first-come, first-served basis, following notification from the Department of Finance that the city, county, or city and county has submitted a complete plan for the expenditure of funds pursuant to Section 8879.65 of the Government Code.
3. The following conditions shall apply for cities, counties, or a city and county receiving funds:
 - (a) A city, county, or city and county shall have received its full allocation for the 2007–08 fiscal year.
 - (b) A city, county, or city and county shall have submitted information for the 2007–08 fiscal year allocation as required in subdivision (c) of Section 9979.65 of the Government Code.
 - (c) A city, county, or city and county shall agree that funds received from this item for the 2009–10 fiscal year will be used for projects that are not currently fully funded with a dedicated funding source or sources.
 - (d) A city, county, or city and county shall agree to encumber the funds in this item from the 2009–10 fiscal year allocation before July 1, 2010.
 - (e) A city, county, or city and county shall report to the Department of Finance the total balance of unencumbered funds in the cities, counties, or city and counties existing account as described in subparagraphs (A) and (C) of paragraph (2) of

subdivision (i) of Section 8879.23 of the Government Code.

- (f) A city, county, or city and county shall certify that the total balance of unobligated or unencumbered funds in the account as described in subparagraphs (A) and (C) of paragraph (2) of subdivision (i) of Section 8879.23 of the Government Code is no more than the sum balance of three months of anticipated apportionments from the Highway Users Tax Account in the Transportation Tax Fund, as described in Sections 2104, 2105, 2106, 2107, and 2107.5 of the Streets and Highway Code, and from the Transportation Investment Fund, as described in Section 7104 of the Revenue and Taxation Code.

If a city, county, or city and county has an unobligated or unencumbered balance that exceeds the sum balance of the three months of anticipated apportionments, it shall not increase its existing unobligated or unencumbered street (Gas Tax) or road fund balance, by the time the next report is submitted to the Controller pursuant to Section 2151 of the Streets and Highways Code.

If a city, county, or city and county has an unobligated or unencumbered balance that is less than the sum balance of the three months of anticipated apportionments, it may permit its fund balance to grow until the unencumbered balance is no more than the sum balance of three months of anticipated apportionments from the Highway Users Tax Account in the Transportation Tax Fund and the Transportation Investment Fund.

- (g) For the purposes of this item, “unobligated” and “unencumbered” mean any portion of funding that is not designated, through prior approval by the city council or county board of supervisors, for the use on the planning, review, design, or construction phase of a project currently underway at the time of the annual street or road report.

4. Any of the funds that are not allocated by July 1, 2010, shall revert to the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006 to be appropriated in future years.

SEC. 543. Item 9620-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9620-001-0001—For payment of interest on General Fund loans, upon order of the Director of Finance, for any General Fund loan.....	100,000,000
	150,000,000

Provisions:

1. The Director of Finance, the Controller, and the Treasurer shall satisfy any need of the General Fund for borrowed funds in a manner consistent with the Legislature's objective of conducting General Fund borrowing in a manner that best meets the state's interest. The state fiscal officers may, among other factors, take into consideration the costs of external versus internal borrowings and potential impact on other borrowings of the state. In conducting internal borrowing, the Controller must ensure such borrowing is made in the most economical manner to the General Fund. Internal borrowable funds that require a higher rate of interest payments will be borrowed only after other internal borrowable funds are fully utilized.
2. In the event that interest expenses related to internal borrowing exceed the amount appropriated by this item, there is hereby appropriated any amount necessary to pay the interest. ~~Funds appropriated by this item~~ *Augmentation pursuant to this provision* shall not be expended prior to 30 days after the Department of Finance notifies the Joint Legislative Budget Committee of the amounts necessary or ~~not sooner than such lesser~~ *prior to a shorter period of time as determined by the Chairperson of the Joint Legislative Budget Committee may determine.*
3. In the event that Revenue Anticipation Warrants (RAWs) or Registered Warrants (IOUs) are issued, or

considered to be issued, there is hereby appropriated any amount necessary, in excess of the amount appropriated by this item, to pay the expenses incurred by the Controller, Treasurer, Attorney General, and the Department of Finance in providing for the preparation, sale, issuance, advertising, legal services, credit enhancement, liquidity facility, or any other act which, as approved by the Department of Finance, is necessary for such issuance. Funds appropriated by this item *Augmentation pursuant to this provision* shall not be expended prior to 30 days after the Department of Finance notifies the Joint Legislative Budget Committee of the amounts necessary or ~~not sooner than such lesser~~ prior to a shorter period of time as determined by the Chairperson of the Joint Legislative Budget Committee ~~may determine~~.

4. *In the event that the Controller must implement a payment delay plan to manage emergency cash needs, there is hereby appropriated any amount necessary, in excess of the amount appropriated by this item, to pay the interest expenses, late payment penalties, and other costs incurred by the Controller that, as approved by the Department of Finance, are necessary to implement the payment delay plan. Amounts appropriated pursuant to this provision shall be transferred, upon approval of the Department of Finance, to augment Item 0840-001-0001. Augmentation pursuant to this provision shall not be transferred or expended prior to 30 days after the Department of Finance notifies the Joint Legislative Budget Committee of the amounts necessary or prior to a shorter period of time as determined by the Chairperson of the Joint Legislative Budget Committee.*

4.
5. To ensure prompt and accurate General Fund ~~cash flow~~ *cashflow* projections for the state, all departments must provide information as requested by the Department of Finance in the timeframe and medium as specified by the Department of Finance. Information

requested may include past actuals and future projection of disbursements, receipts, and cash balances.

SEC. 544. Item 9655-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9655-001-0001—For Augmentation for Statewide Accounts	
Receivable Management Enhancements.....	3,309,000
	1,175,000

Provisions:

1. Amounts appropriated by this item shall be transferred, upon approval by the Director of Finance, to augment any other General Fund item of appropriation, department, board, commission, or other state entity. Transfers shall be made to fund expenditures for statewide accounts receivable management enhancements.
2. Notwithstanding any other provision of law, upon approval of the ~~Department~~ Director of Finance, expenditure authority may be transferred among Items 9655-001-0001 and 9655-001-0494 and 9655-001-0988 as necessary to fund costs for statewide accounts receivable management enhancements.
3. In the event that expenditures for statewide accounts receivable management enhancements exceed the amount appropriated by this item, the Director of Finance may allocate an additional amount over the amount appropriated by this item. This allocation shall be made no sooner than 30 days after notification to the Chairperson of the Joint Legislative Budget Committee and the ~~chairperson~~ chairpersons of the fiscal committees in each house of the Legislature.
4. \$108,000 shall be transferred, upon approval by the Director of Finance, to Item 0840-001-0001, as necessary to enhance statewide accounts receivable reporting and to improve accounts receivable management practices.
5. No later than December 31, 2010, the Controller shall submit a report to the ~~Department~~ Director of Finance that describes: (a) a summary on supplemental receivables reporting and discharged accounts from all de-

partments for periods prescribed by the ~~Department~~
 Director of Finance, and (b) recommendations for
 enhancing revenue opportunities and process improve-
 ments.

*SEC. 545. Item 9655-001-0494 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

9655-001-0494—For Augmentation for Statewide Accounts
 Receivable Management Enhancements, payable from
 unallocated special funds..... 4,274,000
 3,125,000

Provisions:

1. Provisions 1, 2, and 3 of Item 9655-001-0001 also
 apply to this item, except references to General Fund
 appropriations shall instead refer to special fund appro-
 priations.

*SEC. 546. Item 9800-001-0001 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

9800-001-0001—For Augmentation for Employee Compensa-
 tion..... 44,533,000
 40,742,000

Provisions:

1. The amount appropriated in this item shall not be
 construed to control or influence collective bargaining
 between the state employer and employee representa-
 tives.
2. The funds appropriated in this item are for compensa-
 tion increases and increases in benefits related thereto
 of employees whose compensation, or portion thereof,
 is chargeable to the General Fund, to be allocated by
 executive order by the ~~Department~~ Director of Finance
 to the several state offices, departments, boards, bu-
 reaus, commissions, and other state agencies, in aug-
 mentation of their respective appropriations or alloca-
 tions, in accordance with approved memoranda of
 understanding or, for employees excluded from collec-
 tive bargaining, in accordance with salary and benefit

schedules established by the Department of Personnel Administration.

3. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive, statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Item 9800 in the 2010–11 Budget Act, given that this is the item where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.
4. The funds appropriated by this item and any other item may not be used or expended to fund any compensation proposal in the last, best, and final offer made by the state employer to State Bargaining Unit 6 implemented on September 18, 2007. Nothing in this act shall be construed as legislative approval for the expenditure of funds in accordance with that state employer's last, best, and final offer, as required by subdivision (b) of Section 3517.8 of the Government Code.
5. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as "pending agreements") that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in sep-

arate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the ~~Department~~ *Director* of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.

6. As of July 31, 2010, the unencumbered balances of the above appropriation shall revert to the General Fund.

SEC. 547. Item 9800-001-0494 of Section 2.00 of the Budget Act of 2009 is amended to read:

9800-001-0494—For Augmentation for Employee Compensation, payable from other unallocated special funds.....	51,832,000
	51,589,000

Provisions:

1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.
2. The funds appropriated in this item are for compensation increases and increases in benefits related thereto of employees whose compensation, or portion thereof, is chargeable to special funds, to be allocated by executive order by the ~~Department~~ *Director* of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.
3. Notwithstanding any other provision of law, upon approval of the ~~Department~~ *Director* of Finance, expenditure authority may be transferred between this item

and Item 9800-001-0988 as necessary to fund costs for approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.

4. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive, statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Item 9800 in the 2010–11 Budget Act, given that this is the item where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.

5. The funds appropriated by this item and any other item may not be used or expended to fund any compensation proposal in the last, best, and final offer made by the state employer to State Bargaining Unit 6 implemented on September 18, 2007. Nothing in this act shall be construed as legislative approval for the expenditure of funds in accordance with that state employer's last, best, and final offer, as required by subdivision (b) of Section 3517.8 of the Government Code.

6. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as "pending agreements") that have been

determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the ~~Department~~ *Director* of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.

7. As of July 31, 2010, the unencumbered balances of the above appropriation shall no longer be available for expenditure.

SEC. 548. Item 9800-001-0988 of Section 2.00 of the Budget Act of 2009 is amended to read:

9800-001-0988—For Augmentation for Employee Compensation, payable from other unallocated nongovernmental cost funds.....	25,529,000 25,410,000
Provisions:	
1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.	
2. The funds appropriated in this item are for employee compensation increases, and increases in benefits related thereto, whose compensation or portion thereof is chargeable to nongovernmental cost funds, to be allocated by executive order by the Department <i>Director</i> of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.	

- 1 3. Notwithstanding any other provision of law, upon ap-
2 proval of the ~~Department~~ *Director* of Finance, expen-
3 diture authority may be transferred between Item 9800-
4 001-0494 and this item as necessary to fund costs for
5 approved memoranda of understanding or, for employ-
6 ees excluded from collective bargaining, in accordance
7 with salary and benefit schedules established by the
8 Department of Personnel Administration.
- 9 4. It is the intent of the Legislature that all proposed
10 augmentations for increased employee compensation
11 costs, including, but not limited to, base salary increas-
12 es, pay increases to bring one group of employees into
13 a pay equity position with another group of public
14 employees, and recruitment and retention differentials,
15 be budgeted and considered on a comprehensive,
16 statewide basis. Therefore, the Legislature declares its
17 intent to reject any proposed augmentations that are
18 not included in Item 9800 in the 2010–11 Budget Act,
19 given that this is the item where the funds to imple-
20 ment comprehensive statewide compensation policies,
21 including those adopted pursuant to collective bargain-
22 ing, are considered. This provision shall not apply to
23 augmentations for increased employee compensation
24 costs resulting from mandatory judicial orders to raise
25 pay for any group of employees or augmentations for
26 increased compensation costs, or approvals for depart-
27 ments to provide increased employee compensation
28 levels, that are included in bills separate from the
29 Budget Act.
- 30 5. The funds appropriated by this item and any other item
31 may not be used or expended to fund any compensa-
32 tion proposal in the last, best, and final offer made by
33 the state employer to State Bargaining Unit 6 imple-
34 mented on September 18, 2007. Nothing in this act
35 shall be construed as legislative approval for the ex-
36 penditure of funds in accordance with that state em-
37 ployer's last, best, and final offer, as required by sub-
38 division (b) of Section 3517.8 of the Government
39 Code.

6. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as “pending agreements”) that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the ~~Department~~ *Director* of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.
7. As of July 31, 2010, the unencumbered balances of the above appropriation shall no longer be available for expenditure.

SEC. 549. Item 9840-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

- 9840-001-0001—For Augmentation for Contingencies or Emergencies..... 44,100,000
- Provisions:
1. Subject to the conditions set forth in this item, amounts appropriated by this item shall be transferred, upon approval by the Director of Finance, to augment any other General Fund item of appropriation that is made under this act to an agency, department, board, commission, or other state entity. Such a transfer may be made to fund unanticipated expenses to be incurred for the ~~2008–09~~ *2009–10* fiscal year under an existing program that is funded by that item of appropriation, but only in a case of actual necessity as determined by the Director of Finance. For purposes of this item, an “existing program” is one that is authorized by law.
 2. The Director of Finance may not approve a transfer under this item, nor may any funds appropriated in

augmentation of this item be allocated, to fund any of the following: (a) capital outlay, (b) any expense attributable to a prior fiscal year, (c) any expense related to legislation enacted without an appropriation, (d) startup costs of programs not yet authorized by the Legislature, (e) costs that the administration had knowledge of in time to include in the May Revision, or (f) costs that the administration has the discretion to incur or not incur.

3. A transfer of funds approved by the Director of Finance under this item shall become effective no sooner than 30 days after the director files written notification thereof with the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the fiscal committees in each house of the Legislature, or no sooner than any lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine, except for an approval for an emergency expense as defined in Provision 5.
4. Each notification shall include all of the following:
 - (a) the date the recipient state entity reported to the ~~Department~~ *Director* of Finance the need to increase its appropriation, (b) the reason for the expense, (c) the transfer amount approved by the Director of Finance, and (d) the basis of the director's determination that the expense is actually needed. Each notification shall also include a determination by the director as to whether the expense was considered in a legislative budget committee and formal action was taken not to approve the expense for the ~~2008-09~~ *2009-10* fiscal year. Any increase in a department's appropriation to fund unanticipated expenses shall be approved by the Director of Finance.
5. The Director of Finance may approve a transfer under this item for an emergency expense only if the approval is set forth in a written notification that is filed with the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the fiscal committees in each house of the Legislature, no later than 10 days after the effective date of the approval. Each no-

tification for an emergency expense shall state the reason for the expense, the transfer amount approved by the director, and the basis of the director's determination that the expense is an emergency expense. For the purposes of this item, "emergency expense" means an expense incurred in response to conditions of disaster or extreme peril that threaten the immediate health or safety of persons or property in this state.

6. Within 15 days of receipt, the ~~Department~~ *Director* of Finance shall provide, to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature, copies of all requests, including any supporting documentation, from any agency, department, board, commission, or other state entity for a transfer under this item. The submission to the Legislature of a copy of such a request does not constitute approval of the request by the Director of Finance. Within 15 days of receipt, the director shall also provide copies to these chairpersons of all other requests received by the ~~Department~~ *Director* of Finance from any state agency, department, board, commission, or other state entity to fund a contingency or emergency through a supplemental appropriations bill augmenting this item.
7. For any transfer of funds pursuant to this item, the augmentation of a General Fund item of appropriation ~~made by this act~~ shall not exceed the following during any fiscal year:
 - (a) 30 percent of the amount ~~scheduled~~ *appropriated*, for those ~~scheduled amounts~~ *appropriations made by this act* that are \$4,000,000 or less.
 - (b) 20 percent of the amount ~~scheduled~~ *appropriated*, for those ~~scheduled amounts~~ *appropriations made by this act* that are more than \$4,000,000.
8. The Director of Finance may withhold authorization for the expenditure of funds transferred pursuant to this item until such time as, and to the extent that, preliminary estimates of potential unanticipated expenses are verified.

9. The Director of Finance shall submit any requests for supplemental appropriations in augmentation of this item to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature. Requests shall include the information and determinations required by Provision 4, excluding subdivision (c), and a determination that requests meet the requirements of Provision 2.

SEC. 550. Section 3.55 is added to the Budget Act of 2009, to read:

Sec. 3.55. Notwithstanding any other provision of law, upon the order of the Director of Finance, the Controller's Office shall, as jointly determined with the Public Employees' Retirement System, reduce statewide budget items appropriation authority for two months in the 2009–10 fiscal year to recover Preferred Provider Organization premiums paid in excess by members and employers in previous fiscal years.

SEC. 551. Section 3.60 of the Budget Act of 2009 is amended to read:

Sec. 3.60. (a) Notwithstanding any other provision of law, the employers' retirement contributions for the 2009–10 fiscal year that are chargeable to an appropriation made in this act, with respect to each state officer and employee who is a member of the ~~California~~ Public Employees' Retirement System—(~~CalPERS~~) (*PERS*) or the Judges' Retirement System II and who is in that employment or office, including university members as provided by Section 20751 of the Government Code, shall be the percentage of salaries and wages by state member category, as follows:

Miscellaneous, First Tier.....	16.574% — 16.917%
Miscellaneous, Second Tier.....	16.470% — 16.737%
State Industrial.....	17.236% — 17.251%
State Safety.....	18.411% — 18.099%
Peace Officer/Firefighter.....	26.064% — 25.848%
Highway Patrol.....	32.149% — 28.438%
Judges' Retirement System II.....	20.227% — 20.358%

1 The Director of Finance may adjust amounts in any appropriation
2 item, or in any category thereof, in this act as a result of changes
3 from amounts budgeted for employer contributions for 2009–10
4 fiscal year retirement benefits to achieve the percentages specified
5 in this subdivision.

6 (b) Notwithstanding any other provision of law, the Director of
7 Finance shall require retirement contributions computed pursuant
8 to subdivision (a) to be offset by the Controller with surplus funds
9 in the Public Employees' Retirement Fund, employer surplus asset
10 accounts.

11 (c) Notwithstanding any other provision of law, for purposes
12 of calculating the "appropriations subject to limitation" as defined
13 in Section 8 of Article XIII B of the California Constitution, the
14 appropriations in this act shall be deemed to be the amounts
15 remaining after the adjustments required by subdivisions (a) and
16 (b) are made.

17 *SEC. 552. Section 3.90 of the Budget Act of 2009 is amended*
18 *to read:*

19 Sec. 3.90. (a) Notwithstanding any other provision of this act,
20 each item of appropriation in this act, with the exception of those
21 items for the California State University, the University of
22 California, Hastings College of the Law, *the Bureau of State Audits*,
23 the Legislature (including the Legislative Counsel Bureau), and
24 the judicial branch, shall be reduced, as appropriate, to reflect a
25 reduction in employee compensation achieved through the
26 collective bargaining process for represented employees or through
27 existing administration authority and a proportionate reduction for
28 nonrepresented employees (utilizing existing authority of the
29 administration to adjust compensation for nonrepresented
30 employees) in the total amounts of ~~\$1,024,326,000~~ *\$1,477,917,000*
31 from General Fund items and ~~\$688,375,000~~ *\$973,058,000* from
32 items relating to other funds. The Director of Finance shall allocate
33 the necessary reductions to each item of appropriation to
34 accomplish the employee compensation reductions required by
35 this section.

36 (b) The Department of Personnel Administration shall transmit
37 proposed memoranda of understanding to the Legislature promptly
38 and shall include with each such transmission estimated savings
39 pursuant to this section of each agreement.

1 (c) Nothing in this section shall change or supersede the
2 provisions of the Ralph C. Dills Act (Chapter 10.3 (commencing
3 with Section 3512) of Division 4 of Title 1 of the Government
4 Code).

5 *SEC. 553. Section 4.01 of the Budget Act of 2009 is amended*
6 *to read:*

7 Sec. 4.01. (a) Notwithstanding any other provision of law, the
8 Director of Finance shall reduce items of appropriation in this act
9 to reflect savings achieved pursuant to the Alternate Retirement
10 Program (Chapter 214 of the Statutes of 2004). These reductions
11 shall not apply to the University of California, Hastings College
12 of the Law, California State University, the Legislature, or the
13 ~~judicial branch~~ *Judicial Branch*.

14 (b) Notwithstanding any other provision of law, the Director of
15 Finance shall reduce items of appropriation in this act to reflect
16 savings achieved through reforms in employee compensation,
17 subject to memoranda of understanding negotiated with collective
18 bargaining units and ratified by the Legislature. These reductions
19 shall apply to all agencies and departments whose employees are
20 subject to collective bargaining agreements negotiated by the
21 Department of Personnel Administration or are excluded employees
22 as defined in Section 3527 of the Government Code.

23 (c) The Director of Finance shall report to the Chairperson of
24 the Joint Legislative Budget Committee and the chairpersons of
25 the committees of each house of the Legislature that consider
26 appropriations not more than 30 days after the reductions are made
27 pursuant to this section. The report shall list reductions by
28 department and agency.

29 (d) Nothing within this section shall be interpreted to confer
30 any authority upon the Director of Finance to modify or eliminate
31 any other provision of existing law.

32 *SEC. 554. Section 4.12 of the Budget Act of 2009 is amended*
33 *to read:*

34 ~~Sec. 4.12. Notwithstanding any other provision of law, any~~
35 ~~positions that have been proposed to be added for the State Water~~
36 ~~Project for the 2009-10 fiscal year are neither approved nor~~
37 ~~disapproved until future action is taken by the Legislature~~ *Of the*
38 *funds provided in this act to the Department of Water Resources*
39 *for the implementation of the Delta Habitat Conservation and*
40 *Conveyance Program, funding shall be used only for planning*

1 workload related to the program and shall not be used for the
2 physical construction of an alternative conveyance facility.

3 SEC. 555. Section 4.85 is added to the Budget Act of 2009, to
4 read:

5 Sec. 4.85. The Controller shall transfer to the General Fund
6 the amount remaining in the State Public Works Board, 1995 Series
7 A, 1996 Series A, and 1998 Series A Energy Efficiency Bonds,
8 Public Buildings Construction Fund.

9 SEC. 556. Section 8.55 is added to the Budget Act of 2009, to
10 read:

11 Sec. 8.55. (a) It is the intent of the Legislature that the State
12 of California comply with requirements associated with its receipt
13 of funds pursuant to the American Recovery and Reinvestment Act
14 (ARRA), Public Law 111-5. To supplement required activities
15 related to ARRA that are being funded in various items of this act,
16 the Legislature has provided funds to the Bureau of State Audits
17 to act as the central, independent auditing and oversight agency
18 required under various provisions of ARRA. In addition, the
19 Legislature has provided funds to the Director of Finance intended
20 to coordinate oversight and administration activities related to
21 use of ARRA funds by state agencies, including data collection,
22 tracking, and reporting.

23 (b) (1) The \$1,600,000 General Fund loan provided in this act
24 to the Bureau of State Audits and the \$4,100,000 General Fund
25 loan provided in this act to the Director of Finance shall be
26 reimbursed from federal ARRA funds, including principally or
27 exclusively the 0.5 percent of total ARRA funds authorized to be
28 spent on certain centralized state oversight activities in Office of
29 Management and Budget Memorandum M-09-18 of May 11, 2009,
30 or similar guidance or legislation, or other available federal funds.
31 The Director of Finance shall cooperate with the Bureau of State
32 Audits, as required, to facilitate reimbursement of these and any
33 other federal moneys the bureau is authorized to expend related
34 to its ARRA auditing and oversight activities.

35 (2) Should any expenditures of the loan amounts authorized in
36 this section ultimately be determined by the federal government
37 not to be reimbursable, the Director of Finance is required and
38 authorized to reduce and transfer to the General Fund any
39 appropriations in this act for state operations in departments under
40 the control of the Governor that benefited generally from the use

1 of the General Fund loan to the extent necessary to pay off any
2 outstanding balance of the loan.

3 (c) The Bureau of State Audits may request additional General
4 Fund loans or the authority to expend federal ARRA funds related
5 to statewide auditing and oversight in amounts of up to \$1,067,000.
6 In the event that General Fund loans are requested, they shall be
7 reimbursed from federal funds in a manner similar to that
8 described in subdivision (b). The Bureau of State Audits shall
9 provide such requests to the Chairperson of the Joint Legislative
10 Budget Committee and provide copies of such requests to the
11 Legislative Analyst and the Director of Finance. Any such request
12 shall include a detailed description and justification for previous
13 and anticipated uses of funds related to this section. The additional
14 General Fund loans or authority to expend the federal ARRA funds
15 described above shall not be made available to the Bureau of State
16 Audits until 30 days after the request is provided to the
17 Chairperson of the Joint Legislative Budget Committee or at such
18 earlier date as the chairperson of the joint committee may
19 determine. The Legislature requests that the Bureau of State Audits
20 provide to the Director of Finance, the Chairperson of the Joint
21 Legislative Committee, and the Legislative Analyst an estimate of
22 the funds it will require for ARRA statewide oversight and auditing
23 activities in each fiscal year during which it will be undertaking
24 such activities as soon as possible. The Bureau of State Audits
25 may amend this estimate of the funds it will require for ARRA
26 activities after the initial submission of this document.

27 (d) The Director of Finance shall provide to the Chairperson
28 of the Joint Legislative Budget Committee, when appropriate, a
29 comprehensive plan describing statewide ARRA oversight and
30 auditing activities anticipated for the entire period during which
31 such ARRA oversight and auditing will be necessary. The report
32 shall, at a minimum, describe all of the following: (1) the amount
33 of ARRA funds expected to be available to be spent on statewide
34 accountability and oversight activities (including data collection,
35 tracking, and reporting) based on definitive federal guidance or
36 legislation concerning this matter, (2) a description of the roles
37 of each entity in state government to be involved in statewide
38 oversight and auditing activities related to ARRA, (3) specific
39 citations, as appropriate, of federal guidance, regulations, or
40 legislation that require each function of each entity in state

1 government involved in ARRA statewide oversight and auditing
2 activities, (4) detailed descriptions of why any proposed activities
3 not specifically required in federal guidance, regulations, or
4 legislation will be undertaken, and (5) the amount of ARRA federal
5 funds for statewide accountability and oversight (including data
6 collection, tracking, and reporting) expected to be needed in each
7 fiscal year during which ARRA statewide oversight and auditing
8 activities will be required. The Director of Finance shall include
9 costs for ARRA statewide auditing and oversight activities of the
10 Bureau of State Audits in the comprehensive plan and may amend
11 the comprehensive report after its initial submission to account
12 for costs identified by the bureau.

13 (e) The Director of Finance may request additional General
14 Fund loans or the authority to expend federal ARRA funds related
15 to statewide auditing and oversight in amounts exceeding those
16 in subdivision (b) but in no case may the Director of Finance
17 request funding for the 2009–10 fiscal year in excess of that
18 available for its activities during that fiscal year, as described in
19 item 5 of the comprehensive report described in subdivision (d).
20 The additional loans or authority to expend funds described in
21 this subdivision shall not be made available to the Director of
22 Finance until 30 days after both the comprehensive report
23 described in subdivision (d) and the request for these loans or
24 funds is provided to the Chairperson of the Joint Legislative Budget
25 Committee or at such earlier date as the chairperson of the joint
26 committee may determine. In the event that General Fund loans
27 are requested, they shall be reimbursed from federal funds in a
28 manner similar to that described in subdivision (b).

29 (f) The Bureau of State Audits may request additional General
30 Fund loans or the authority to expend federal ARRA funds related
31 to statewide auditing and oversight in amounts exceeding those
32 in subdivisions (b) and (c), but it is the intent of the Legislature
33 that the bureau not request funding for the 2009–10 fiscal year in
34 excess of that specified in the estimate of required funds that the
35 bureau will submit or amend pursuant to subdivision (c). The
36 additional loans or authority to expend funds described in this
37 subdivision shall not be made available to the Bureau of State
38 Audits until 30 days after the request for these loans or funds is
39 provided to the Chairperson of the Joint Legislative Budget
40 Committee or at such earlier date as the chairperson of the joint

1 committee may determine. In the event that General Fund loans
2 are requested, they shall be reimbursed from federal funds in a
3 manner similar to that described in subdivision (b).

4 (g) Except for the \$2,500,000 authorized in Provision 6 of Item
5 8860-001-0001 of Section 2.00, no funds provided in this section
6 or in any other item of this act may be expended by the Director
7 of Finance, the ARRA inspector general, a state department under
8 the control of the Governor, or the ARRA task force for a
9 centralized statewide database of ARRA spending until 30 days
10 after a detailed justification of the federal requirements therefor
11 has been submitted to the Chairperson of the Joint Legislative
12 Budget Committee or at such earlier date as the chairperson of
13 the joint committee may determine. This request may be combined
14 with the comprehensive report described in subdivision (d).

15 (h) It is the intent of the Legislature that funds provided to the
16 Director of Finance pursuant to this section address costs of the
17 state's ARRA coordinating task force, the Inspector General
18 appointed by the Governor, and the Office of State Audits and
19 Evaluation's efforts described herein and provide full transparency
20 to the public in the use of ARRA funds.

21 SEC. 557. Section 12.00 of the Budget Act of 2009 is amended
22 to read:

23 Sec. 12.00. For the purposes of Article XIII B of the California
24 Constitution, there is hereby established a state "appropriations
25 limit" of ~~\$81,000,000,000~~ \$80,984,000,000 for the 2009–10 fiscal
26 year.

27 Any judicial action or proceeding to attack, review, set aside,
28 void, or annul the "appropriations limit" for the 2009–10 fiscal
29 year shall be commenced within 45 days of the effective date of
30 this act.

31 SEC. 558. Section 12.32 of the Budget Act of 2009 is amended
32 to read:

33 Sec. 12.32. (a) It is the intent of the Legislature that
34 appropriations that are subject to Section 8 of Article XVI of the
35 California Constitution be designated with the wording
36 "Proposition 98." In the event these appropriations are not so
37 designated, they may be designated as such by the Department of
38 Finance, where that designation is consistent with legislative intent,
39 within 30 days after notification in writing of the proposed
40 designation to the chairpersons of the committees in each house

1 of the Legislature that consider appropriations and the Chairperson
 2 of the Joint Legislative Budget Committee, or within a lesser time
 3 that the chairperson of the joint committee, or his or her designee,
 4 determines.

5 (b) Pursuant to the Proposition 98 funding requirements
 6 established in Chapter 2 (commencing with Section 41200) of Part
 7 24 of Division 3 of Title 2 of the Education Code, the total
 8 appropriations for Proposition 98 for the 2009–10 fiscal year are
 9 ~~\$40,523,751,000~~ *\$35,032,443,000* or ~~42.2~~ *40.6* percent of total
 10 General Fund revenues and transfers subject to the state
 11 appropriations limit. General Fund revenues appropriated for school
 12 districts are ~~\$35,827,600,000~~ *\$31,198,354,000* or ~~37.3~~ *36.1* percent
 13 of total General Fund revenues and transfers subject to the state
 14 appropriations limit. General Fund revenues appropriated for
 15 community college districts are ~~\$4,587,827,000~~ *\$3,721,897,000*
 16 or ~~4.8~~ *4.3* percent of total General Fund revenues and transfers
 17 subject to the state appropriations limit. General Fund revenues
 18 appropriated for other state agencies that provide direct elementary
 19 and secondary level education, as defined in Section 41302.5 of
 20 the Education Code, are ~~\$108,324,000~~ *\$112,192,000* or 0.1 percent
 21 of total General Fund revenues and transfers subject to the state
 22 appropriations limit.

23 *SEC. 559. Section 12.42 of the Budget Act of 2009 is amended*
 24 *to read:*

25 Sec. 12.42. (a) The amounts appropriated in the items set forth
 26 in subdivision (b) are each hereby reduced by the percentage
 27 determined by dividing ~~1,211,296,000~~ *1,317,610,000* by the sum
 28 of the amounts appropriated in the items set forth in subdivision
 29 (b).

30 (b) Subdivision (a) shall apply to Items 6110-103-0001,
 31 6110-104-0001, 6110-105-0001, 6110-107-0001, 6110-108-0001,
 32 ~~6110-111-0001~~, 6110-113-0001, 6110-119-0001, 6110-122-0001,
 33 6110-124-0001, 6110-125-0001, 6110-137-0001, 6110-144-0001,
 34 6110-150-0001, 6110-151-0001, 6110-156-0001, 6110-158-0001,
 35 6110-166-0001, 6110-167-0001, 6110-181-0001, 6110-182-0001,
 36 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001,
 37 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001,
 38 6110-209-0001, ~~6110-211-0001~~, 6110-220-0001, 6110-224-0001,
 39 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001,
 40 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001,

6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001,
6110-265-0001, 6110-266-0001, 6110-267-0001, 6110-268-0001
and, 6360-101-0001, and Schedule (1) of Item 6110-211-0001 of
Section 2.00 of this act.

SEC. 560. Section 12.45 is added to the Budget Act of 2009,
to read:

Sec. 12.45. The Director of Finance shall, for all agencies and
departments paid through the Uniform State Payroll System, reduce
as necessary the appropriations in the items set forth in Section
2.00 to recognize the change in the accounting method for the
payment of state employee salaries pursuant to Section 13302 of
the Government Code.

SEC. 561. Section 12.50 is added to the Budget Act of 2009,
to read:

Sec. 12.50. The amount appropriated in Item 7980-101-0001
of Section 2.00 is hereby reduced by \$37,600,000.

SEC. 562. Section 12.55 is added to the Budget Act of 2009,
to read:

Sec. 12.55. The Director of Finance shall permit the California
African-American Museum to utilize \$293,000 from the Exposition
Park Improvement Fund for the replacement, repair, and other
upgrades of critical infrastructure costs for the museum.

SEC. 563. Section 13.10 is added to the Budget Act of 2009,
to read:

Sec. 13.10. (a) The amount appropriated in Item
0110-001-0001 of Section 2.00 is hereby reduced by \$2,783,000.

(b) The amount appropriated in Item 0120-011-0001 of Section
2.00 is hereby reduced by \$5,477,000.

(c) (1) The amount appropriated in Schedule (1) of Item
0130-021-0001 of Section 2.00 is hereby reduced by \$188,000.

(2) The amount transferred in Schedule (2) of Item
0130-021-0001 of Section 2.00 is hereby reduced by \$94,000.

(3) The amount transferred in Schedule (3) of Item
0130-021-0001 of Section 2.00 is hereby reduced by \$94,000.

(d) The amount appropriated in Item 0160-001-0001 of Section
2.00 is hereby reduced by \$7,546,000.

(e) The amount appropriated in Item 8855-001-0001 of Section
2.00 is hereby reduced by \$514,000.

SEC. 564. Section 13.25 is added to the Budget Act of 2009,
to read:

1 *Sec. 13.25. (a) Notwithstanding any other provision of law,*
2 *the Director of Finance may adjust amounts in any item of*
3 *appropriation in Section 2.00 to reflect reorganizations and*
4 *consolidations of departments or functions of departments that*
5 *are approved by the Legislature.*

6 *(b) Within 30 days of making any adjustment pursuant to this*
7 *section, the Department of Finance shall report the adjustment in*
8 *writing to the Joint Legislative Budget Committee.*

9 *SEC. 565. Section 15.30 is added to the Budget Act of 2009,*
10 *to read:*

11 *Sec. 15.30. (a) Notwithstanding any other provision of law,*
12 *the Director of Finance may reduce items of appropriation in this*
13 *act to reflect information technology and related savings achieved*
14 *by state agencies, as identified by the State Chief Information*
15 *Officer pursuant to the Governor's Reorganization Plan No. One*
16 *of 2009 or Section 11545 of the Government Code. It is the intent*
17 *of the Legislature that the reductions authorized by this section*
18 *total at least \$100,000,000 for General Fund items of*
19 *appropriation; however, in achieving these and other savings, the*
20 *State Chief Information Officer shall take no action with respect*
21 *to IT budgets or projects that might reasonably be anticipated to*
22 *cause a significant reduction in General Fund revenue collections.*

23 *(b) The Director of Finance shall report the reductions in*
24 *writing to the Chairperson of the Joint Legislative Budget*
25 *Committee and the chairpersons of the committees of each house*
26 *of the Legislature that consider appropriations not more than 30*
27 *days after the reductions are made. The report shall list the*
28 *reductions by department and agency.*

29 *SEC. 566. Section 15.45 is added to the Budget Act of 2009,*
30 *to read:*

31 *Sec. 15.45. (a) The Controller shall offset General Fund*
32 *expenditures with any funds received from county offices of*
33 *education for state program costs, other than costs of trial courts,*
34 *pursuant to Section 99081 of the Government Code. These offsets*
35 *shall be recorded as a reduction of total expenditures for each*
36 *agency under which the state program expenditures occur and*
37 *shall not be a reduction to any department or program budget*
38 *item. The Director of Finance shall identify the specific non-Budget*
39 *Act items against which to record the payments.*

(b) The Controller shall offset payments to the Trial Court Trust Fund from Item 0250-111-0001 of Section 2.00 with any funds received from county offices of education for reimbursement of trial court costs pursuant to Section 99081 of the Government Code.

SEC. 567. Section 17.00 of the Budget Act of 2009 is amended to read:

Sec. 17.00. The Budget Act of 2009 includes ~~\$47,828,000~~ ~~(\$14,166,000~~ \$49,697,000 ~~(\$14,686,000~~ from the General Fund, ~~\$28,218,000~~ \$29,567,000 from federal funds, \$930,000 from special funds, and \$4,514,000 from reimbursements) for applicant state agencies, departments, boards, commissions, or other entities of state government in support of federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 activities. These funds are allocated to the following entities:

California Health and Human Services Agency	
General Fund.....	2,611,000
Reimbursements.....	1,584,000
Public Employees' Retirement System	
Special Funds.....	247,000
Office of Statewide Health Planning and Development	
Special Funds.....	111,000
Department of Aging	
General Fund.....	12,000
Reimbursements.....	12,000
Department of Alcohol and Drug Programs	
General Fund.....	787,000
Reimbursements.....	920,000
Department of Health Care Services	
 General Fund.....	8,571,000
 Federal Funds.....	28,158,000
General Fund.....	9,091,000
Federal Funds.....	29,507,000
Reimbursements.....	26,000
Department of Public Health	
Special Funds.....	551,000
Managed Risk Medical Insurance Board	
General Fund.....	27,000
Special Funds.....	21,000

1	Federal Funds.....	60,000
2	Department of Developmental Services	
3	General Fund.....	887,000
4	Reimbursements.....	800,000
5	Department of Mental Health	
6	General Fund.....	1,146,000
7	Reimbursements.....	1,172,000
8	Department of Veterans Affairs	
9	General Fund.....	125,000

10

11 *SEC. 568. Section 17.50 is added to the Budget Act of 2009,*
 12 *to read:*

13 *Sec. 17.50. The amount appropriated in Item 4170-101-0001*
 14 *of Section 2.00 is hereby reduced by \$9,483,000.*

15 *SEC. 569. Section 17.80 is added to the Budget Act of 2009,*
 16 *to read:*

17 *Sec. 17.80. (a) The amount appropriated in Item*
 18 *4200-001-0001 of Section 2.00 is hereby reduced by \$418,000.*

19 *(b) The amount appropriated in Item 4200-102-0001 of Section*
 20 *2.00 is hereby reduced by \$1,671,000.*

21 *(c) The amount appropriated in Item 4200-103-0001 of Section*
 22 *2.00 is hereby reduced by \$29,837,000.*

23 *SEC. 570. Section 18.00 is added to the Budget Act of 2009,*
 24 *to read:*

25 *SEC. 18.00. (a) The amount appropriated in Item*
 26 *4260-101-0001 of Section 2.00 is hereby reduced by*
 27 *\$2,789,402,000.*

28 *(b) Schedule (7) of Item 4260-101-0001 of Section 2.00 is hereby*
 29 *deleted.*

30 *(c) Provision 13 is added to Item 4260-101-0001 of Section*
 31 *2.00, to read:*

32 *13. It is the intent of the Legislature to actively pursue the*
 33 *receipt of federal funds within the Medicaid (Medi-Cal) Program*
 34 *which are past due from the federal government, including, but*
 35 *not limited to: (a) disability insurance benefits that resulted in*
 36 *state expenditures instead of federal Medicare expenditures, (b)*
 37 *the retroactive payment of Part B premiums due to systemic errors*
 38 *by the federal Social Security Administration, (c) needed*
 39 *adjustments to formulas that penalize California, such as the*

1 Medicare Part D “clawback,” and (d) receipt of federal funds due
2 to California under various existing Medi-Cal waiver programs.

3 (d) Schedule (4) of Item 4260-101-0001 of Section 2.00 is hereby
4 revised to be –\$284,246,000.

5 (e) The amount appropriated in Item 4260-111-0001 of Section
6 2.00 is hereby reduced by \$4,303,000.

7 (f) Provision 3 is added to Item 4260-111-0001 of Section 2.00,
8 to read:

9 3. The State Department of Health Care Services shall convene
10 a diverse workgroup as applicable that, at a minimum, represents
11 families enrolled in the California Children’s Services (CCS)
12 Program, counties, specialty care providers, children’s hospitals,
13 and medical suppliers to discuss the administrative structure of
14 the CCS Program, including eligibility determination processes,
15 the use and content of needs assessment tools in case management,
16 and the processes used for treatment authorizations. The purpose
17 of this workgroup will be to identify methods for streamlining,
18 administrative cost-efficiencies, and better utilization of both state
19 and county staff, as applicable, in meeting the needs of children
20 and families accessing the CCS Program. The department may
21 provide the policy and fiscal committees of each house of the
22 Legislature with periodic updates of outcomes as appropriate.

23 (g) Schedule (3) of Item 4260-111-0001 of Section 2.00 is hereby
24 revised to be –\$58,188,000.

25 (h) The amount appropriated in Item 4260-113-0001 of Section
26 2.00 is hereby reduced by \$47,265,000.

27 SEC. 571. Section 18.10 is added to the Budget Act of 2009,
28 to read:

29 Sec. 18.10. (a) The amount appropriated in Item
30 4265-001-0001 of Section 2.00 is hereby reduced by \$6,981,000.

31 (b) Schedule (6) of Item 4265-001-0001 of Section 2.00 is hereby
32 revised to be –\$38,739,000.

33 (c) The amount appropriated in Item 4265-111-0001 of Section
34 2.00 is hereby reduced by \$62,967,000.

35 (d) Provision 2 is added to Item 4265-111-0001 of Section 2.00,
36 to read:

37 2. It is the intent of the Legislature that the funds appropriated
38 in this item be used to maintain core active surveillance activities
39 to meet federal reporting requirements and to continue HIV/AIDS

1 *prevention and education efforts for which federal funds are not*
2 *available.*

3 *(e) Provision 3 is added to Item 4265-111-0001 of Section 2.00,*
4 *to read:*

5 *3. The appropriation in this item for the Alzheimer's Research*
6 *Centers shall be used for direct services, including, but not limited*
7 *to, diagnostic screening, case management, disease management,*
8 *support for caregivers, and related services necessary for positive*
9 *client outcomes.*

10 *SEC. 572. Section 18.20 is added to the Budget Act of 2009,*
11 *to read:*

12 *Sec. 18.20. (a) The amount appropriated in Item*
13 *4280-101-0001 of Section 2.00 is hereby reduced by \$125,581,000.*

14 *(b) Provision 2 is added to Item 4280-101-0001 of Section 2.00,*
15 *to read:*

16 *2. It is the intent of the Legislature, during these unprecedented*
17 *fiscal times, to maintain the integrity of the Healthy Families*
18 *Program to continue to provide health, dental, and vision coverage*
19 *to low-income children. However, assistance from philanthropic*
20 *organizations and other sources will be necessary in order for*
21 *California to obtain its full allotment of federal funds to support*
22 *this program. In the event funds are not available, it is the intent*
23 *of the Legislature for the Managed Risk Medical Insurance Board*
24 *to utilize its existing authority to establish a waiting list of children*
25 *for enrollment in the program.*

26 *(c) The amount appropriated in Item 4280-102-0001 of Section*
27 *2.00 is hereby reduced by \$3,046,000.*

28 *SEC. 573. Section 18.30 is added to the Budget Act of 2009,*
29 *to read:*

30 *Sec. 18.30. (a) The amount appropriated in Item*
31 *4300-101-0001 of Section 2.00 is hereby reduced by \$214,828,000.*

32 *(b) Schedule (4) of Item 4300-101-0001 of Section 2.00 is hereby*
33 *revised to be -\$1,663,363,000.*

34 *SEC. 574. Section 18.40 is added to the Budget Act of 2009,*
35 *to read:*

36 *Sec. 18.40. (a) The amount appropriated in Item*
37 *4440-001-0001 of Section 2.00 is hereby reduced by \$8,447,000.*

38 *(b) The amount appropriated in Item 4440-103-0001 of Section*
39 *2.00 is hereby reduced by \$113,380,000.*

1 (c) *The amount appropriated in Item 4440-104-0001 of Section*
2 *2.00 is hereby reduced by \$52,000,000.*

3 (d) (1) *Provision 1 of Item 4440-104-0001 of Section 2.00 is*
4 *hereby deleted.*

5 (2) *Provision 3 is added to Item 4440-104-0001 of Section 2.00,*
6 *to read:*

7 3. *These funds are for costs incurred in the 2006–07, 2007–08,*
8 *2008–09, and 2009–10 fiscal years. The first priority of funds*
9 *appropriated in this item shall be used to offset the mandate*
10 *reimbursement claims for the 2006–07 fiscal year. Remaining*
11 *funds may be used to offset the mandate reimbursement claims for*
12 *the 2007–08, 2008–09, and 2009–10 fiscal years.*

13 (e) *The amount appropriated in Item 4440-111-0001 of Section*
14 *2.00 is hereby reduced by \$3,547,000.*

15 SEC. 575. *Section 18.50 is added to the Budget Act of 2009,*
16 *to read:*

17 Sec. 18.50. (a) *The amount appropriated in Item*
18 *5180-001-0001 of Section 2.00 is hereby reduced by \$7,337,000.*

19 (b) *Provision 9 of Item 5180-001-0001 of Section 2.00 is hereby*
20 *deleted.*

21 (c) *The amount appropriated in Item 5180-101-0001 of Section*
22 *2.00 is hereby reduced by \$500,501,000.*

23 (d) *The amount appropriated in Item 5180-111-0001 of Section*
24 *2.00 is hereby reduced by \$643,248,000.*

25 (e) *Schedule (5) of Item 5180-111-0001 of Section 2.00 is hereby*
26 *deleted.*

27 (f) *The amount appropriated in Item 5180-153-0001 of Section*
28 *2.00 is hereby reduced by \$16,421,000.*

29 SEC. 576. *Section 18.55 is added to the Budget Act of 2009,*
30 *to read:*

31 Sec. 18.55. *The following appropriations are hereby made for*
32 *purposes of administration of the In-Home Supportive Services*
33 *program:*

34 (a) *For purposes of administration of the In-Home Supportive*
35 *Services program:*

36 (1) *The sum of \$1,560,000 is hereby appropriated to the State*
37 *Department of Health Care Services and shall be available and*
38 *used only for the purpose of establishing 13.0 positions to develop*
39 *a program integrity and fraud prevention unit for In-Home*
40 *Supportive Services program investigations, as follows:*

1 (A) *The sum of \$780,000 from the General Fund.*

2 (B) *The sum of \$780,000 from federal funds.*

3 (2) *The sum of \$1,444,000 is hereby appropriated to the State*
4 *Department of Social Services and shall be available and used*
5 *only for the purpose of supporting for purposes of establishing*
6 *12.0 positions that support In-Home Supportive Services program*
7 *integrity efforts, as follows:*

8 (A) *The sum of \$722,000 from the General Fund.*

9 (B) *The sum of \$722,000 from federal funds.*

10 (3) *Funds appropriated pursuant to this subdivision may be*
11 *used during the 2009–10 and 2010–11 fiscal years.*

12 (4) *For the 2010–11 fiscal year, a maximum of 42.0 positions*
13 *shall be established for purposes of the In-Home Supportive*
14 *Services program, as follows:*

15 (A) *Thirty positions in the State Department of Health Care*
16 *Services.*

17 (B) *Twelve positions in the State Department of Social Services.*

18 (5) *The State Department of Health Care Services and the State*
19 *Department of Social Services shall consult with one another and*
20 *with county welfare departments regarding the purposes and*
21 *activities of these additional positions to ensure coordination and*
22 *collaboration, consistent with current quality assurance program*
23 *activities.*

24 (6) *To the extent that implementation responsibilities and costs*
25 *are required of county welfare departments for new local activities*
26 *associated with these positions, the State Department of Health*
27 *Care Services and the State Department of Social Services shall*
28 *submit a revised budget to the Legislature.*

29 (b) *The sum of \$10,000,000 is hereby appropriated from the*
30 *General Fund in augmentation of Schedule (2) of Item*
31 *5180-111-0001 of Section 2.00 of the Budget Act of 2009 for the*
32 *purpose of fraud investigations and additional program integrity*
33 *efforts related to the In-Home Supportive Services Program. The*
34 *amount appropriated in this subdivision represents the total*
35 *allowable to be claimed for these purposes within this section. The*
36 *State Department of Social Services shall allocate funding based*
37 *on a distribution method developed in consultation with the*
38 *counties. Each county shall submit a plan to the department that*
39 *includes the program integrity and fraud investigation activities*
40 *that the county plans to pursue, and the department must approve*

1 *the plan prior to distribution of the funds appropriated in this*
2 *subdivision.*

3 *SEC. 577. Section 24.60 is added to the Budget Act of 2009,*
4 *to read:*

5 *Sec. 24.60. Each state entity receiving lottery funds shall*
6 *annually report to the Governor and the Legislature on or before*
7 *May 15 the amount of lottery funds that the entity received and*
8 *the purposes for which those funds were expended in the prior*
9 *fiscal year, including administrative costs. The Department of*
10 *Education shall report on behalf of K–12 entities. If applicable,*
11 *the entity shall also report the amount of lottery funds received on*
12 *the basis of adult education average daily attendance (ADA) and*
13 *the amount of lottery funds expended for adult education.*

14 *SEC. 578. Section 24.65 of the Budget Act of 2009 is repealed.*

15 ~~Sec. 24.65. (a) Notwithstanding any other provision of law,~~
16 ~~the Director of Finance is authorized to repay General Fund~~
17 ~~budgetary obligations, infrastructure bond debts, and the Economic~~
18 ~~Recovery Bonds, including reimbursement to the General Fund~~
19 ~~for these costs, in the 2009–10 fiscal year from the Debt Retirement~~
20 ~~Fund, pursuant to Government Code Section 8880.4.5.~~

21 ~~(b) Expenditures and reimbursements authorized by this section~~
22 ~~will result in overall General Fund savings. It is not the intent of~~
23 ~~the Legislature in enacting this section to provide additional~~
24 ~~expenditure authority to state programs.~~

25 *SEC. 579. Section 25.25 is added to the Budget Act of 2009,*
26 *to read:*

27 *Sec. 25.25. Notwithstanding any other provision of law, a sum*
28 *not to exceed \$15,200,000 is appropriated from various special*
29 *and nongovernmental cost funds and reimbursements to the*
30 *Controller for payment of costs to support the replacement of the*
31 *existing automated human resource/payroll systems known as the*
32 *21st Century Project. The Controller shall assess these funds in*
33 *sufficient amounts to pay for the authorized 21st Century Project*
34 *costs that are attributable to such funds pursuant to Section 12432*
35 *of the Government Code. Assessments in support of the*
36 *expenditures for the 21st Century Project shall be made quarterly*
37 *and the total amounts assessed from these funds in the 2009–10*
38 *fiscal year shall not exceed the total expenditure incurred by the*
39 *Controller for the 21st Century Project that are attributable to*
40 *those funds in the 2009–10 fiscal year.*

1 *SEC. 580. Section 25.50 of the Budget Act of 2009 is amended*
 2 *to read:*

3 Sec. 25.50. Notwithstanding any other provision of law, an
 4 amount not to exceed ~~\$822,000~~ \$770,000 is hereby appropriated
 5 from various funds to the Controller, as specified below, for
 6 reimbursement of costs for the ongoing maintenance and support
 7 of the Apportionment Payment System:

9	0046 Public Transportation Account	\$ 18,000
10		\$ 16,000
11	0062 Highway Users Tax Account	282,000
12		265,000
13	0064 Motor Vehicle License Fee Account	16,000
14		15,000
15	0330 Local Revenue Fund	93,000
16		87,000
17	0877 DMV Local Agency Collection Fund	2,000
18	0932 Trial Court Trust Fund	161,000
19		151,000
20	0965 Timber Tax Fund	1,000
21	0969 Public Safety Account	249,000
22		233,000
23	Total, All Funds	\$822,000
24		\$770,000

25
 26 The Controller shall assess these funds for the costs of the
 27 Apportionment Payment System because apportionment payments
 28 in excess of \$10,000,000 are made annually from these funds.
 29 Assessments in support of the expenditures for the Apportionment
 30 Payment System shall be made monthly, and the total amount
 31 assessed from these funds may not exceed the total expenditures
 32 incurred by the Controller for the Apportionment Payment System
 33 for the 2009–10 fiscal year.

34 *SEC. 581. Section 35.50 of the Budget Act of 2009 is amended*
 35 *to read:*

36 Sec. 35.50. (a) For purposes of paragraph (1) of subdivision
 37 (f) of Section 10, and subdivision (f) of Section 12, of Article IV
 38 of the California Constitution, “General Fund revenues” means
 39 the total resources available to the General Fund for a fiscal year
 40 before any transfer to the Budget Stabilization Account.

(b) For purposes of subdivision (f) of Section 12 of Article IV of the California Constitution, “all appropriations from the General Fund for that fiscal year” shall not include any transfer to the Budget Stabilization Account to retire Economic Recovery Bonds because that amount is reflected in the “amount of any General Fund moneys transferred to the Budget Stabilization Account.”

(c) For purposes of subdivision (f) of Section 12 of Article IV of the California Constitution, the estimate of General Fund revenues for the 2009–10 fiscal year pursuant to this act, as passed by the Legislature, is \$98,567,200,000 \$93,244,800,000.

(d) For purposes of subdivision (b) of Section 20 of Article XVI of the California Constitution, General Fund revenues shall be defined as revenues and transfers before any transfer to the Budget Stabilization Account, excluding any proceeds from Economic Recovery Bonds, as estimated in the enacted State Budget.

SEC. 582. This act addresses the fiscal emergency declared by the Governor by proclamation on July 1, 2009, pursuant to subdivision (f) of Section 10 of Article IV of the California Constitution.

SEC. 583. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

This act makes revisions in appropriations for the support of the government of the State of California and for several public purposes for the 2009–10 fiscal year. It is imperative that these revisions be made effective as soon as possible. It is therefore necessary that this act go into immediate effect.

~~SECTION 1. It is the intent of the Legislature to enact statutory changes relating to the Budget Act of 2009.~~

~~SEC. 2. This act addresses the fiscal emergency declared by the Governor by proclamation on July 1, 2009, pursuant to subdivision (f) of Section 10 of Article IV of the California Constitution.~~

O